

**CITY OF SOUTH FULTON, GEORGIA**  
**South Fulton Service Center Auditorium, 5600 Stonewall Tell Road**  
**Tuesday, September 12, 2017, 7:00pm**



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## **PUBLIC NOTICE**

**The Mayor and City Council invite you to  
our next City Council Meetings**

**TUESDAY, SEPTEMBER 12, 2017**

**5:00 PM - Work Session  
6:00 PM - Millage Rate & Budget Hearing  
7:00 PM - Regular Meeting**

**South Fulton Service Center Auditorium  
5600 Stonewall Tell Road  
College Park, GA 30349**

If you have any questions or concerns, please contact the City of South Fulton, City Hall at [www.cityofsouthfultonga.gov](http://www.cityofsouthfultonga.gov) or call 470-809-7700.



## PUBLIC NOTICE, as revised 9-5-2017

**The Mayor and City Council of the City of South Fulton will hold the following Public Hearings for the FY2018 Budget and the Millage Rate on the following dates:**

**1st Hearing - TUESDAY, SEPTEMBER 12, 2017, 10am**

**2nd Hearing - TUESDAY, SEPTEMBER 12, 2017, 6pm**

**FINAL Hearing to Adopt Rate - TUESDAY, SEPTEMBER 19, 2017, 6pm**

All hearings will be held at the following address:

South Fulton Service Center, 5600 Stonewall Tell Road, College Park, GA 30349

If you have any questions or concerns, please contact the City Clerk at [mark.massey@cityofsouthfultonga.gov](mailto:mark.massey@cityofsouthfultonga.gov) or call 470-809-7712. Thank you.

### NOTICE OF PROPERTY TAX INCREASE

The City of South Fulton has tentatively adopted a millage rate which will require a levy of 7.719 mills for 2017. All concerned citizens are invited to the three public hearings on this tax increase to be held at the South Fulton Service Center Auditorium located at, 5600 Stonewall Tell Road, College Park, GA 30349 at the dates and times above.

(Note: Since the millage rate for 2017 represents the initial setting of a millage rate for the recently incorporated City of South Fulton, further explanation has been published and provided below by the City.

The City of South Fulton does hereby announce that the 2017 millage rate will be set at a meeting to be held at the South Fulton Service Center Auditorium located at, 5600 Stonewall Tell Road, College Park, GA 30349 on Tuesday, September 19, 2017 at 6:00 pm. and pursuant to the requirements of O.C.G.A. Section 48-5-32 does hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

### CURRENT 2017 TAX DIGEST AND FIVE YEAR HISTORY OF LEVY

Description	2017
Real .....	1,925,185,260
Personal .....	1,134,210,892
Motor Vehicles .....	59,199,320
Mobile Homes .....	5,600
Timber – 100% .....	18,000
Heavy Duty Equipment.....	156,184
Gross Digest .....	3,118,775,256
Exemptions.....	928,566,901
Net Digest .....	2,190,208,355
FLPA Reimbursement Value	
Adjusted Net M & O Digest.....	2,190,208,355
Gross M & O millagerate .....	7.719
Less Millage rate rollback .....	0
Net M & O Millage rate .....	7.719
Net Taxes Levied .....	16,906,218.29

### 2018 TENTATIVE BUDGET

Fulton Co				Fulton Co			
Revenue Categories	FY 2016	FY2017	2018	Expenditures Categories	FY 2016	FY2017	2018
	Actuals	Adopted	Recommended		Actuals	Adopted	Recommended
Local Option Sales Tax.....	29,353,683.00	9,500,000.00	21,688,222.00	Animal Control .....		411,585.00	987,804.00
Real and Personal Property Tax .....		1,811,633.84	16,906,218.00	City Clerk .....		245,914.00	362,704.00
Franchise Fees .....	4,880,985.00	0.00	3,000,000.00	Mayor.....		26,087.60	145,297.00
Insurance Premium Tax.....		0.00	3,880,000.00	City Council .....		139,950.00	214,880.00
Building Permits and Inspection Fees.....		320,000.00	1,099,060.00	City Manager.....		207,097.00	435,295.00
Business & Occupation Tax .....	6,195,933.00	0.00	3,500,000.00	County Manager.....	72,217.00	0.00	0.00
Municipal Court .....		33,651.33	779,775.00	Communications.....		35,000.00	261,204.00
Alcoholic Beverage Tax .....	1,916,074.00	800,000.00	1,700,000.00	Development Services .....	2,772,699.00	1,594,622.00	2,623,986.00
Hotel/Motel Tax .....	130,262.00	70,000.00	50,000.00	Court .....		33,651.00	779,755.00
Recording Intangible Tax .....	340,032.00	0.00	300,000.00	Debt (Debt payment and interest) .....		0.00	13,000,000.00
Fire Inspection .....	12,770.00	0.00	147,852.00	Economic Development.....		0.00	199,084.00
Interest Earnings.....		0.00	5,000.00	Facilities .....		131,144.00	957,246.00
Fines and Forefeitures .....		140,640.00	15,000.00	Finance.....	358,362.00	428,346.00	833,546.00
Real Estate Transfer Tax.....	119,263.00	108,000.00	90,000.00	Fire .....	15,275,243.00	8,377,533.09	15,589,285.00
Other Charges for Services .....	834,440.00	347,683.33	800,000.00	Human Resources .....	153,094.00	143,717.00	459,569.00
Rent ad Royalties .....	1,263,419.00	450,000.00	20,000.00	Information Technology.....	84,500.00	56,453.00	716,565.00
Other Revenues .....	80,927.00	80,000.00	80,000.00	Legal.....		0.00	500,000.00
Motor Vehicle Tax.....	1,718,536.00	0.00	2,000,000.00	Non Agency.....	14,930,510.00	0.00	0.00
Intergovernmental Revenue.....	158,508.00	3,125,000.00	10,268,218.00	Operational Start Up.....		248,000.00	0.00
Transfer from other funds .....	2,000,000.00	10,000,000.00	0.00	Police.....	17,028,193.00	9,436,857.25	16,737,294.00
Sale of Property .....		0.00	0.00	Public Works.....		1,742,180.38	4,181,233.00
<b>Grand Total .....</b>	<b>\$49,004,832</b>	<b>\$26,786,608</b>	<b>\$66,329,345</b>	Real Estate Management .....	187,000.00	77,594.00	186,000.00
<b>*Use of Fund Balance.....</b>	<b>\$6,234,653</b>			Recreation and Parks .....	4,377,667.00	2,400,775.00	4,895,326.00
				Stormwater Management.....		125,000.00	300,000.00
				Transfer Out E-911 .....		781,250.00	1,875,000.00
				Transfer Out Hotel/Motel .....		0.00	50,000.00
				Contingency.....		143,852.00	38,272.00
				<b>Grand Total .....</b>	<b>\$55,239,485</b>	<b>\$26,786,608</b>	<b>\$66,329,345</b>

**CITY OF SOUTH FULTON, GEORGIA**  
**South Fulton Service Center Auditorium, 5600 Stonewall Tell Road**  
**Tuesday, September 12, 2017, 5:00PM**



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**The Honorable William “Bill” Edwards, Mayor**  
**The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem**  
**The Honorable Carmalitha Gumbs, District 2 Councilmember**  
**The Honorable Helen Z. Willis, District 3 Councilmember**  
**The Honorable Naeema Gilyard, District 4 Councilmember**  
**The Honorable Rosie Jackson, District 5 Councilmember**  
**The Honorable khalid kamau, District 6 Councilmember**  
**The Honorable Mark Baker, District 7 Councilmember**

**WORK SESSION AGENDA**

- Ambulance Services/AMR (Director R. Keith Wages, Georgia Office of EMS and Trauma, and Terence Ramotar, AMR Regional Director)

**CITY OF SOUTH FULTON, GEORGIA**  
**South Fulton Service Center Auditorium, 5600 Stonewall Tell Road**  
**Tuesday, September 12, 2017, 10:00am & 6:00pm**



**The Honorable William “Bill” Edwards, Mayor**  
**The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem**  
**The Honorable Carmalitha Gumbs, District 2 Councilmember**  
**The Honorable Helen Z. Willis, District 3 Councilmember**  
**The Honorable Naeema Gilyard, District 4 Councilmember**  
**The Honorable Rosie Jackson, District 5 Councilmember**  
**The Honorable khalid kamau, District 6 Councilmember**  
**The Honorable Mark Baker, District 7 Councilmember**

**10:00am & 6:00pm**

**MILLAGE RATE & BUDGET HEARING**

- Millage Rate & Budget Presentation
- Public Hearing



**The Honorable William “Bill” Edwards, Mayor**  
**The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem**  
**The Honorable Carmalitha Gumbs, District 2 Councilmember**  
**The Honorable Helen Z. Willis, District 3 Councilmember**  
**The Honorable Naeema Gilyard, District 4 Councilmember**  
**The Honorable Rosie Jackson, District 5 Councilmember**  
**The Honorable khalid kamau, District 6 Councilmember**  
**The Honorable Mark Baker, District 7 Councilmember**

### **REGULAR MEETING AGENDA**

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of the Consent Agenda
  - a. Meeting Minutes – Tuesday, August 22, 2017
  - b. Meeting Minutes – Tuesday, August 30, 2017
  - c. Proclamations
    - i. Proclamation recognizing Women’s Equality Appreciation Day (**Edwards**)
    - ii. Proclamation recognizing Zion Hill Baptist Church Appreciation Day (**Edwards**)
5. Approval of the Regular Meeting Agenda

**CITY OF SOUTH FULTON, GEORGIA**  
**South Fulton Service Center Auditorium, 5600 Stonewall Tell Road**  
**Tuesday, September 12, 2017, 7:00pm**

6. Proclamations and Recognitions
  - a. Proclamation recognizing Miller City Farm Appreciation Day. **(Gilyard)**
  - b. Proclamation recognizing Old National Merchants Association 5K Run/Walk for Community Unity Day. **(Jackson)**
7. Public Comment
  - a. Speakers will be granted up to two minutes each and public comment will not exceed 30 minutes. Speakers will not be allowed to yield or donate their time to other speakers.
8. Business
  - a. Ordinances
    - i. **[SECOND READING]** Ordinance to Create Title 7 of the City of South Fulton Code of Ordinances, Municipal Courts, to establish Municipal Courts of the City and for other Related Purposes. **(Ord2017-017)**
    - ii. **[SECOND READING]** Ordinance to Create Title 8 of the City of South Fulton Code of Ordinances, Traffic and Vehicles, and to establish general rules of the road for the City of South Fulton. **(Ord2017-018)**
    - iii. **[SECOND READING]** Ordinance granting permission and consent to Coweta-Fayette EMC (a franchise agreement). **(Ord2017-019)**
    - iv. **[SECOND READING]** Ordinance relating to mortgages, conveyances to secure debt, and liens; to provide for definitions; to provide for guidelines for vacant and foreclosed property registries; to provide for exemptions; to provide for maximum fees and penalties for registration and failure to register; to provide for appellate rights; to provide for severability; to provide an effective date; to repeal all ordinance and parts of ordinances in conflict herewith; and for other purposes. **(Rowell – Ord2017-020)**

**CITY OF SOUTH FULTON, GEORGIA**  
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- v. **[SECOND READING]** Adoption of Financial Policy Ordinance and Amendment to existing Ordinances No. 2017-003 and 2017-007. **(Rowell – Ord2017-021)**
  - vi. **[SECOND READING]** Adoption of Debt Policy Ordinance. **(Rowell – Ord2017-022)**
  - vii. **[SECOND READING]** Ordinance to amend existing ordinance no. 2017-003 for transparency in Mayoral and City Manager appointments. **(khalid – Ord2017-024)**
9. Unfinished Business
- a. Resolution adopting the Official Seal for the City of South Fulton. **(Baker – Res2017-041, approved on August 22, 2017, and vetoed on August 25, 2017)**
10. City Manager's Weekly Update
- a. Communications Strategy
  - b. BidNet Direct
11. Mayor and City Council Comments (Two minutes each)
12. Executive Session, if necessary
13. Adjournment



# **DIVIDER SHEET**



**The Honorable William “Bill” Edwards, Mayor (present)**  
**The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem (present)**  
**The Honorable Carmalitha Gumbs, District 2 Councilmember (present)**  
**The Honorable Helen Z. Willis, District 3 Councilmember (present)**  
**The Honorable Naeema Gilyard, District 4 Councilmember (present)**  
**The Honorable Rosie Jackson, District 5 Councilmember (present)**  
**The Honorable khalid kamau, District 6 Councilmember (present)**  
**The Honorable Mark Baker, District 7 Councilmember (present)**

### **WORK SESSION MINUTES**

**The Work Session was called to order by Mayor Edwards at 5:00pm.**  
**Following roll call, a quorum was present.**

- **Review of the August 22, 2017 Regular Meeting Agenda**

**Hearing no procedural questions, the Mayor asked members of Council if anyone had a need for an Executive Session. Hearing none, the Mayor entertained a motion to adjourn the Work Session.**

- **Executive (CLOSED) Session regarding personnel, litigation or real estate matters, if necessary (None held)**

**A motion was made by Councilmember Jackson and seconded by Mayor Pro Tem Rowell to adjourn the Work Session. The motion passed unanimously, 7-0-0.**

**The Work Session was adjourned at 5:04pm.**



# **DIVIDER SHEET**



**The Honorable William “Bill” Edwards, Mayor (present)**  
**The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem (present)**  
**The Honorable Carmalitha Gumbs, District 2 Councilmember (present)**  
**The Honorable Helen Z. Willis, District 3 Councilmember (present)**  
**The Honorable Naeema Gilyard, District 4 Councilmember (present)**  
**The Honorable Rosie Jackson, District 5 Councilmember (present)**  
**The Honorable khalid kamau, District 6 Councilmember (present)**  
**The Honorable Mark Baker, District 7 Councilmember (present)**

### **REGULAR MEETING MINUTES**

**1. Call to Order**

**The meeting was called to order by Mayor Edwards at 7:00pm.**  
**Following the roll call, all members were present.**

**2. Invocation**

**The invocation was rendered by Pastor Warren L. Henry, Sr.**

**3. Pledge of Allegiance**

**The Pledge of Allegiance was recited in unison.**

**Following the pledge, Mayor Edwards recognized City of Fairburn Councilwoman Liz Hurst, former County Commissioner Robb Pitts and Linda Pritchett, a candidate for State Senate District 39.**

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**Tuesday, August 22, 2017, 7:00pm**

4. Approval of the Consent Agenda
  - a. Meeting Minutes – Tuesday, August 8, 2017
  - b. Meeting Minutes – Tuesday, August 15, 2017
  - c. Proclamation recognizing Teaching Hodari Sadiki Williams Appreciation Day. **(Edwards)**

**A motion was made by Councilmember khalid and seconded by Councilmember Jackson to approve the Consent Agenda. The motion passed unanimously, 7-0-0.**

5. Approval of the Regular Meeting Agenda
  - a. **A motion was made by Councilmember khalid and seconded by Councilmember Baker to amend the agenda by adding five pieces of legislation as follows:**
    - **A resolution to require regular budget reports. (khalid)**
    - **An ordinance to amend existing ordinance no. 2017-003 for transparency in Mayoral and City Manager appointments. (khalid)**
    - **An ordinance to amend existing ordinance no. 2017-003 regarding establishing the agenda, office space, formal meetings with the City Manager and others, and Council seating. (khalid)**
    - **A resolution to hire a permanent City Manager. (khalid)**
    - **A resolution to require Council authorization for expenditures of Council funds. (khalid)**

**Councilmembers Gumbs, Gilyard, Jackson, khalid and Baker voted yea. Mayor Pro Tem Rowell and Councilmember Willis voted no. Therefore, the motion passed, 5-2-0.**

- b. **A motion was made by Councilmember Jackson and seconded by Councilmember khalid to amend the agenda by replacing Amendment #2 to Ordinance No. 2017-015**

with a new version of the previously proposed amendment regarding Sec. 1-6006, Limitation on Employment of Certain Employees. The motion passed unanimously, 7-0-0.

- c. A motion was made by Councilmember khalid and seconded by Councilmember Gilyard to adopt the agenda as previously amended. The motion passed unanimously, 7-0-0.

6. Proclamations and Recognitions

- a. Proclamation recognizing Torrey Tomlinson & Third Annual Old National Day. **(khalid)**  
**PRESENTED**

7. Public Comment

- a. Speakers will be granted up to two minutes each and public comment will not exceed 30 minutes. Speakers will not be allowed to yield or donate their time to other speakers.

**The following fourteen (14) citizens offered public comment:**

- **Ms. Joyce Armster**, concerning community clean-up on the Old National corridor, August 26, 2017.
- **Ms. Glenda Collins**, questions concerning the Budget and expenditures.
- **Ms. Deborah Robinson Herring**, concerning behavior and expectations of Council at the last meeting, part-time status and responsibilities.
- **Dr. Blanche Bello**, concerning the educational system/schools in South Fulton County.
- **Ms. Linda Pritchett**, concerning Old National Community Clean-up (Committee), 7am – 2pm.
- **Mr. Wayne Hines**, concerning his position against the proposed at-will system (supports the merit system) for firefighters.

CITY OF SOUTH FULTON, GEORGIA  
South Fulton Service Center Auditorium, 5600 Stonewall Tell Road  
Tuesday, August 22, 2017, 7:00pm

- **Mr. Greg Fann**, concerning employees that need protections (a merit system), the at-will system is not binding.
- **Ms. Teiola Porch**, concerning the personal assistants for Council.
- **Mr. Tommie Stegall**, concerning Cityhood and his work on committees; hiring certain people; a need for better police force; and concerning the in-fighting.
- **Mr. Braxton Becoats**, concerning City Council Aides and the proposed Internship program.
- **Ms. Brenda H. Jenkins**, concerning City Council working together even when they do not agree; the Mayor's comments about frivolous amendments; and concerning listening and supporting one another.
- **Mr. Darris Rollins**, concerning professionalism; everyone doing the right thing and acting as a committee; and approaching the need for Council assistance through google project management.
- **Mr. John Watson**, concerning the fiscal management of the City (spending) and the Council Aides; Council fighting amongst themselves; a thank you to Councilwoman Willis, and to the Mayor for the Zion Hill proclamation.
- **Mr. Louis M. Bell**, concerning his thanks to Council along with a charge with respect to how Council conducts themselves; a problem with 18-wheelers and the need to do something about it; and concerning the trash transfer station at Welcome All that needs regular cleaning.

8. Business

a. Resolution

- i. Resolution authorizing the City to Obtain General Liability Insurance Coverage through the Georgia Municipal Association. **(Res2017-040)**

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**A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Gilyard to approve Res2017-040 (General Liability Insurance Coverage). The motion passed unanimously, 7-0-0.**

- ii. **Resolution adopting the Official Seal for the City of South Fulton. (Baker - Res2017-041)**

**A motion was made by Councilmember Baker and seconded by Councilmember khalid to approve Res2017-041 (Official Seal). Councilmembers Gumbs, Willis, Gilyard, Jackson, khalid, and Baker voted yea. Mayor Pro Tem Rowell voted no. Therefore, the motion passed, 6-1-0.**

**A friendly amendment was made by Councilmember Willis to remove the religious symbols from the City Seal. The friendly amendment was not accepted.**

- iii. **Resolution to envision the City of South Fulton as a Smart City. (Rowell, Willis, and Gumbs – Res2017-042)**

**A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to approve Res2017-042 (Smart City), with a friendly amendment by Councilmember Gilyard that was accepted to include the following language:**

***“The City of South Fulton seeks to partner with institutions of higher education, businesses, nonprofits and other entities in order to support and develop smart technologies and initiatives.”***

**The motion above passed unanimously, 7-0-0.**

- iv. **Resolution for City Intern Program. (Willis – Res2017-043)**

**A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Willis to approve Res2017-043 (City Intern Program), with an effective date of September 5, 2017. Mayor Pro Tem Rowell and Councilmember Willis voted yea. Councilmembers Gumbs,**

Gilyard, Jackson, khalid and Baker voted no. Therefore, the motion failed, 2-5-0.

b. Ordinances

- i. **[SECOND READING]** Adoption of Personnel Ordinance and amendment to existing Ordinance No. 2017-003. (Ord2017-015)

A motion was made by Councilmember Jackson and seconded by Councilmember Gumbs to adopt Ord2017-015 (Personnel Ordinance) as amended below, until the Council determines later that they want to change it:

**Chapter 6: Municipal Employees**

**Sec. 1-6001. – At-Will Status and Grievance Procedure**

(a) All persons employed by the City shall be on an at-will basis; provided, however, City employees will be afforded the opportunity to participate in a grievance procedure as set forth in the City Personnel Manual; ~~Nothing contained in the City Personnel Manual shall change the employee's at-will status.~~ provided further that Police officers who have not yet attained the rank of major or higher, and Firefighters who have not yet attained the rank of deputy chief or higher, will be subject to a merit system as set forth in the City Personnel Manual.

Mayor Pro Tem Rowell and Councilmembers Gumbs, Willis, Gilyard, Jackson, and Baker voted yea. Councilmember khalid voted no. Therefore, the motion above passed, 6-1-0.

1. Amendment #1 to Ordinance No. 2017-015.  
(Gilyard)

A friendly amendment was requested by Councilmember Willis that HR not be included in every interview panel. (FRIENDLY AMENDMENT WAS NOT VOTED UPON)

A motion was made by Councilmember Baker and seconded by Councilmember Jackson to approve Amendment #1 as written. (NO VOTE WAS TAKEN ON THIS MOTION)

A motion was made by Councilmember Gilyard and seconded by Councilmember Gumbs to approve Amendment #1 with a provision to Section 1-6005. – Hiring, subsection (a), to add “if possible,” with respect to HR participating in the interview panels. Councilmembers Gumbs, Gilyard, Jackson, and khalid voted yea. Mayor Pro Tem Rowell and Councilmembers Willis and Baker voted no. Therefore, the motion passed, 4-3-0.

2. Amendment #2 to Ordinance No. 2017-015.  
(Jackson)

A motion was made by Councilmember Jackson and seconded by Councilmember khalid to approve Amendment #2, Sec. 1-6006., as replaced during the adoption of the agenda below:

**Sec. 1-6006. – Limitation on Employment of Certain Employees**

When an election or appointment results in a new elected or new appointed official, any municipal employee who works in the office of Mayor, serves as an aide to a City Councilmember, or as an assistant to an appointed official, may be reassigned at the request of the newly-elected or newly-appointed official. Nothing in this paragraph shall be deemed to change the at-will status of any employee, including those identified in this ordinance.

The motion above passed unanimously, 7-0-0.

A motion was made by Councilmember Gilyard and seconded by Councilmember Jackson to adopt Ord2017-015 (entire/whole Personnel Ordinance) as previously amended, with a November 1st effective date for the Workforce Plan. A friendly amendment was made by Mayor Pro Tem Rowell to change the effective date for the Workforce Plan to January 1<sup>st</sup>. The friendly amendment was not accepted. Councilmembers Gumbs, Gilyard, Jackson and Baker

voted yea. Mayor Pro Tem Rowell and Councilmembers Willis and khalid voted no. Therefore, the motion passed, 4-3-0.

- ii. **[SECOND READING]** Substitute Ordinance #2 - Adoption of amendments to Ordinance No. 2017-012 regarding Board of Code Enforcement, pertaining to renaming the Board. (khalid - Ord2017-016)

A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Ord2017-016 (Board of Code Enforcement). The motion passed unanimously, 7-0-0.

- iii. **[FIRST READING]** Ordinance to Create Title 7 of the City of South Fulton Code of Ordinances, Municipal Courts, to establish Municipal Courts of the City and for Other Related Purposes. (Ord2017-017)

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Gumbs and khalid to amend Section 7-1003 (regarding Additional personnel) to give the Municipal Court Judge the authority to hire or fire a municipal court clerk. The motion passed unanimously, 7-0-0.

- iv. **[FIRST READING]** Ordinance to Create Title 8 of the City of South Fulton Code of Ordinances, Traffic and Vehicles, and to establish general rules of the road for the City of South Fulton. (Ord2017-018)

Councilmembers requested to see additional provisions whether contained within or through separate legislation pertaining to the following matters: violations by camera, ATVs and dirt bikes, and trucks of a certain weight or number of wheels.

- v. **[FIRST READING]** Ordinance granting permission and consent to Coweta-Fayette EMC (a franchise agreement). (Ord2017-019)

**Mayor Pro Tem Rowell requested the City Attorney to see if the Georgia General Assembly has closed any of the loopholes with respect to the source of funding for the 4% of the gross sales of electric energy to customers.**

- vi. **[FIRST READING]** Ordinance relating to mortgages, conveyances to secure debt, and liens; to provide for definitions; to provide for guidelines for vacant and foreclosed property registries; to provide for exemptions; to provide for maximum fees and penalties for registration and failure to register; to provide for appellate rights; to provide for severability; to provide an effective date; to repeal all ordinances and parts of ordinances in conflict herewith; and for other purposes. **(Rowell – Ord2017-020)**

**Mayor Edwards raised concerns regarding property owners that do not live within the State and recommended having an “agent of service” within the State.**

- vii. **[FIRST READING]** Adoption of Financial Policy Ordinance and Amendment to existing ordinances no. 2017-003 and 2017-007. **(Rowell – Ord2017-021)**

**Mayor Pro Tem Rowell recommended an effective date of 2019.**

- viii. **[FIRST READING]** Adoption of Debt Policy Ordinance. **(Ord2017-022)**

**Mayor Pro Tem Rowell recommended an effective date of 2019.**

## 9. Board Appointments

- i. Request approval of the following Board Appointments:
  - 1. Planning Commission
    - a. Ms. Shatekwa Floyd **(khalid)**
  - 2. Zoning Board of Appeals

**CITY OF SOUTH FULTON, GEORGIA**  
**South Fulton Service Center Auditorium, 5600 Stonewall Tell Road**  
**Tuesday, August 22, 2017, 7:00pm**

- a. Ms. Sareena Beasley **(khalid)**
- 3. Board of Code Enforcement
  - a. Ms. Violet Crawford **(khalid)**

**A motion was made by Councilmember khalid and seconded by Councilmember Jackson to approve the nominations above. The motion passed unanimously, 7-0-0.**

10. Unfinished Business

- a. Resolution for Parity of Pay Among Mayor and Council Staff. **(khalid - Res2017-039, approved on August 8, 2017, and vetoed on August 9, 2017)**

**A motion was made by Councilmember khalid and seconded by Councilmember Baker to override the Mayor's veto. Councilmembers Gumbs, Gilyard, Jackson, khalid and Baker voted yea. Mayor Pro Tem Rowell and Councilmember Willis voted no. Therefore, the motion passed, 5-0-0.**

11. City Manager's Weekly Update

- Merit System
- Internship Program

**Presented by Interim City Manager Ruth C. Jones.**

**A motion was made by Councilmember khalid and seconded by Councilmember Baker to direct a firm to focus only on naming the City. A friendly amendment was made by Mayor Pro Tem Rowell to allow the Director of Communications to bring a recommendation for selecting and finalizing a name by December 31, 2017. The friendly amendment was not accepted. Councilmembers khalid and Baker voted yea. Mayor Pro Tem Rowell and Councilmembers Gumbs, Willis, Gilyard, and Jackson voted no. Therefore, the motion failed, 2-5-0.**

**A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Jackson to request the Director of Communications to provide a recommendation/strategy for finalizing and selecting a name for the City of South Fulton to be finalized by December 31, 2017. A friendly amendment was made by Councilmember Baker to include an outward process that allows community input and engagement. The friendly amendment was accepted. Mayor Pro Tem Rowell and Councilmembers Gumbs, Willis, Jackson, khalid and Baker voted yea. Councilmember Gilyard voted no. Therefore, the motion passed, 6-0-0.**

**Whereupon a motion was made by Councilmember Willis and seconded by Mayor Pro Tem Rowell to suspend the agenda. Councilmember Willis voted yea, therefore the motion failed, 1-6-0.**

**The Mayor then requested a recess at 11:57pm.**

**The meeting reconvened at approximately 12:10am.**

**12. ~~Mayor and City Council Comments (Two minutes each)~~**

**13. ADD-ON's:**

- a. Ord2017-023 - An ordinance to amend existing ordinance no. 2017-003 regarding establishing the agenda, office space, formal meetings with the City Manager and others, and Council seating. (khalid)**

**The Interim City Attorney will review the provisions for consistency with the Charter.**

**Councilmember Baker requested a friendly amendment to strike Sec. 2-2002 (w) (1). The friendly amendment was accepted.**

- b. Ord2017-024 - An ordinance to amend existing ordinance no. 2017-003 for transparency in Mayoral and City Manager appointments. (khalid)**

**The Ordinance was presented.**

- c. Res2017-044 - A resolution to require regular budget reports. (khalid)**

**A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Res2017-044 (Regular Budget Reports) by amending Section 2 to establish monthly reports that are reported for the prior month. A friendly amendment was made by Councilmember Willis to include the provisions of this Resolution within the Budget Ordinance. The friendly amendment was not accepted. Councilmembers Gilyard, Jackson, khalid and Baker voted yea. Mayor Pro Tem Rowell and Councilmembers Gumbs and Willis voted no. Therefore, the motion passed, 4-3-0.**

- d. Res2017-045 - A resolution to require Council authorization for expenditures of Council funds. (khalid)**

**A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Res2017-045 (Authorization for expenditures of Council funds). The motion passed unanimously, 7-0-0.**

- e. Res2017-046 - A resolution to hire a permanent City Manager. (khalid)**

**A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Res2017-046 (Hiring a permanent City Manager). A friendly amendment was made by Mayor Pro Tem**

**CITY OF SOUTH FULTON, GEORGIA**  
**South Fulton Service Center Auditorium, 5600 Stonewall Tell Road**  
**Tuesday, August 22, 2017, 7:00pm**

**Rowell to make the effective date December 31, 2017. The friendly amendment was accepted. All members voted yea, except Councilmember Willis who voted no. Therefore, the motion passed, 6-1-0.**

**14. Adjournment**

**A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Jackson to adjourn. The motion passed unanimously, 7-0-0.**

**The meeting was adjourned at 1:08am.**



**The Honorable William “Bill” Edwards, Mayor (present)**  
**The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem (present)**  
**The Honorable Carmalitha Gumbs, District 2 Councilmember (present)**  
**The Honorable Helen Z. Willis, District 3 Councilmember (present)**  
**The Honorable Naeema Gilyard, District 4 Councilmember (present)**  
**The Honorable Rosie Jackson, District 5 Councilmember (present)**  
**The Honorable khalid kamau, District 6 Councilmember (present)**  
**The Honorable Mark Baker, District 7 Councilmember (present)**

### **BUDGET WORKSHOP MINUTES**

**The meeting was called to order at 5:07 pm by Mayor Pro Tem Rowell.**  
**Following the roll call, a quorum was present.**

**1. Budget Workshop (Interim City Manager)**

**Opening remarks were made by Interim City Manager Ruth C. Jones regarding her difficulty developing the Budget and the related factors. Following her remarks, she introduced the Chief Financial Officer Frank Milazi to make the Budget presentation (PowerPoint presentation – Attachment #1), whereupon he announced the following dates/times for public hearings regarding the adoption of a millage rate:**

- Thursday, September 7, 2017 at 10:00am**

**CITY OF SOUTH FULTON, GEORGIA**  
**South Fulton Service Center Auditorium, 5600 Stonewall Tell Road**  
**Wednesday, August 30, 2017, 5:00PM**

- **Thursday, September 7, 2017 at 6:00pm**
- **Tuesday, September 12, 2017 at 6:00pm**

The Interim City Manager then discussed a recent notification from Fulton County regarding their intention to increase property taxes to the Special Services District (City of South Fulton) to offset anticipated costs paid to County employees for uncompensated leave, who will separate from employment due to cityhood. The County's proposal further warrants the need to cut an additional \$1 million from the City's proposed budget which is a return to the 2016 funding levels.

Following a question and answer period from the City Council, the next segment of the presentation transitioned to a review of departmental recommendations, as presented by the Interim City Manager, including personnel and operational expenditures. A supplemental document was provided with changes to the Budget (Supplement – Attachment #2) and a supplemental budget transmittal letter along with Pay & Classification adjustments (Supplement – Attachment #3).

A motion was made by Councilmember Jackson requesting the City Attorney to begin the process of filing a petition to the Courts regarding the additional funding that Fulton County wants (immediate temporary injunction/relief).

A motion was made by Councilmember Jackson and seconded by Councilmember khalid that as a Council, they request the City Attorney to file an injunction to stop this process (Fulton County's request for additional funding).

A friendly amendment was made by Councilmember khalid that the City put the money in escrow. The friendly amendment was accepted.

A friendly amendment was made by Mayor Pro Tem Rowell to direct Counsel to explore all options to ensure that the City is not incurring costs for expenses that should have been borne by the County, revisit the terms of the Intergovernmental Agreement to make sure that we reconcile all expenses as noted in the IGA, and so that we are not incurring any additional costs that will adversely impact the City. The friendly amendment was accepted.

The motion passed unanimously, 7-0-0.

**CITY OF SOUTH FULTON, GEORGIA**  
**South Fulton Service Center Auditorium, 5600 Stonewall Tell Road**  
**Wednesday, August 30, 2017, 5:00PM**

**Mayor Edwards requested staff to find out about the CPI exemption that has stopped and the status of that money.**

**Councilmember Baker requested staff to research what Fulton County is required to adhere with respect to receiving those federal funds (matching dollars), which they are now requesting the City to be charged.**

**Councilmember khalid requested Communications staff to investigate the cost to purchase a mailing list and send out a letter to residents. Mayor Edwards requested to allow City Council to review it first. Councilmember Willis requested a recommendation from the Communications Director on how best to communicate with the residents. The Interim City Manager indicated that they will compile all available strategies to include mailing.**

**At the request of Mayor Edwards, the City Council took a break to allow the videographer to change the battery in the equipment.**

**Moments later, a motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Willis to break for a 15-minute Executive Session regarding litigation. Hearing no objections, the motion passed unanimously, 7-0-0.**

**Following Executive Session, a motion was made by Councilmember Willis and seconded by Mayor Pro Tem Rowell to approve Res2017-047, *a Resolution approving the agreement for transfer of Municipal Court jurisdiction and for Municipal Court services between Fulton County, Georgia and the City of South Fulton, Georgia*. The motion passed unanimously, 7-0-0.**

**A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Baker to authorize the City Attorney to file a declaratory judgement action against the City of Union City regarding an improper annexation. The motion passed unanimously, 7-0-0.**

**A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Willis to establish for budgeting purposes a millage rate at 7.149 mils for FY2018, to ensure no millage rate increase due to Fulton County's proposed increase in the millage rate, and maintain an overall 11.579 millage rate (no property tax increase). Mayor Pro Tem Rowell and Councilmembers Gumbs,**

**CITY OF SOUTH FULTON, GEORGIA**  
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**Wednesday, August 30, 2017, 5:00PM**

**Willis, Gilyard, and Jackson voted yea. Councilmembers khalid and Baker voted no. Therefore, the motion passed, 5-2-0.**

**Councilmember Jackson requested the Interim City Manager to set up meetings for her to meet with each Department Head.**

**A motion was made by Councilmember khalid and seconded by Councilmember Baker to delay bringing Recreation & Parks over to the City until the City has a name and a seal (January 1, 2018). All members voted yea, except Councilmembers Willis who voted no. Therefore, the motion passed, 6-1-0.**

**A motion was made by Councilmember khalid and seconded by Councilmember Baker to cut all salaries across the board by 25%.**

**A friendly amendment was made by Councilmember Baker to cut the salaries across the board by 20%. The friendly amendment was accepted.**

**A friendly amendment was made by Councilmember Jackson to hold off on this proposal and revisit the issue later. The friendly amendment was accepted.**

**Councilmember khalid indicated that it is his interest in cutting salaries across the board and to redo the pay & class.**

**A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Jackson to adjourn the meeting. Hearing no objections, the motion passed unanimously, 7-0-0. The meeting was adjourned at 10:02pm.**



# **DIVIDER SHEET**



# *Proclamation*

## **City of South Fulton**

**WHEREAS,** At the behest of Rep. Bella Abzug (D-NYC), in 1971 the U.S. Congress designated August 26<sup>th</sup> as "Women's Equality Day.". The date was selected to commemorate the 1920 certification of the 19<sup>th</sup> Amendment to the Constitution, granting women the right to vote; and

**WHEREAS,** The women of the United States have historically been treated as second-class citizens and have often been denied the full rights and privileges, public or private, legal or institutional, which are available to male citizens of the United States; and

**WHEREAS,** The women of the United States have united to assure that these rights and privileges are available to ALL citizens equally; and

**WHEREAS,** The women of the United States have designated August 26<sup>th</sup>, the anniversary date of the certification of the Nineteenth Amendment, which culminated a 72-year, non-violent campaign to extend the right to vote to women, as a symbol of the continued fight for equal rights; and

**WHEREAS,** The women of the United States are to be commended and supported in their organizations and activities.

**NOW, THEREFORE BE IT RESOLVED,** that the Mayor and the City Council of the City of South Fulton recognizes the commemoration of that day in 1920 on which the women of America won their right to vote, as an opportunity to continue to work for equal rights for ALL citizens and does hereby proclaim Saturday, August 26, 2017, as "WOMEN'S EQUALITY APPRECIATION DAY" in the City of South Fulton, Georgia.

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Mayor William "Bill" Edwards



## **City of South Fulton**

**WHEREAS,** Zion Hill Baptist Church is one of nine churches that grew out of Friendship Baptist Church. The Reverend Robert Grant, along with seven members, organized and founded Zion Hill Baptist Church in 1872, in a brush harbor on the corner of Glenn and Humphries Streets. They worshiped there until a dwelling, with a dirt floor was donated for their use so long as it was used for public worship.

**WHEREAS,** The church in its infancy was very successful, progressing spiritually, numerically and financially. Reverend Grant's keen spiritual insight and academic ability were tempered by a genuine love of people; however, like other organizations, the church had many battles and in 1873, Reverend Grant resigned. Including Reverend Grant, Zion Hill Baptist Church has grown and been nurtured by ten pastors.

**WHEREAS,** In January 1994, Zion Hill was blessed with its tenth and current pastor, Reverend Doctor Aaron Larry Parker, Sr., along with his wife, First Lady Sheila Smith Parker and their children, Aaron Larry, Jr. and Asha Liana. Pastor Parker has inspired and led this congregation to be one of "living to love and loving to serve."

**WHEREAS,** During his 22 years of leadership, membership has grown to over 4400 and innovative spiritual and educational programs have been implemented. Under Pastor Parker's guidance, the church has placed a focus on evangelism, with a special emphasis on "TOSS, Telling Our Sacred Story."

**NOW, THEREFORE BE IT RESOLVED,** that the Mayor and the City Council of the City of South Fulton recognizes The Zion Hill Baptist Church on the celebration of its 145<sup>th</sup> Anniversary and does hereby proclaim Sunday, August 20, 2017, as "THE ZION HILL BAPTIST CHURCH APPRECIATION DAY" in the City of South Fulton, Georgia.

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Mayor William "Bill" Edwards



## City of South Fulton

**WHEREAS**, Miller City Farm (MCF) is a 4+ acre micro farm located in South Fulton, Georgia, offering locally and sustainably grown, heirloom, and non-genetically modified organism (GMO) produce which is hand-harvested during each harvest season spanning nine months from March through November; and

**WHEREAS**, MCF's mission is to increase access of naturally-grown, local foods to families in South Fulton and provide sustainably-grown produce to 250 families in a cyclical and consistent manner, so as to reduce the food desert of locally grown foods.

**WHEREAS**, Farmer Willie Miller began his first urban rooftop garden in 2009. While extremely small scale, just enough to feed him and his wife (Marisa) periodically, he noticed the concept to be intriguing to the neighbors of the building. Not long after, a community rooftop garden was born.

**WHEREAS**, Farmer Willie continued to hone the craft of maximizing nutritional content in his produce by taking courses, apprenticing with local farmers, and "good old" trial and error, resulting in the official launch of their urban farm and agribusiness consultancy firm, Miller City Farm, LLC.

**WHEREAS**, MCF is actively involved in its community; serving as a founding member of the South Fulton Food Policy Council. This group's mission is to develop a just and integrated policy or action recommendations that promote health, sustain and strengthen a local and regional food system, and engage in partnership with urban farmers and gardeners, food related businesses, communities and governments in the South Fulton region.

**NOW, THEREFORE BE IT RESOLVED**, That the Mayor and the City Council of the City of South Fulton congratulate Miller City Farm, LLC and do hereby proclaim Tuesday, September 12, 2017, as "**MILLER CITY FARM APPRECIATION DAY**" in the City of South Fulton, Georgia.

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Councilmember Naeema Gilyard



## **City of South Fulton**

**WHEREAS,** The Old National Merchants Association (ONMA) is organizing an early autumn 5K run/walk to showcase the Old National community's diversity, vitality and shared commitment to revitalization of the Old National corridor.

**WHEREAS,** Besides courting individual runners, ONMA has set its sights on attracting at least 50 run/walk teams representing community organizations-families, businesses, schools, churches, homeowner groups, governments and speciality groups, from book clubs, dog lovers and athletic teams to car enthusiasts, wine clubs and Greek-letter organizations; and

**WHEREAS,** The 5K course will begin at the Old National Commons plaza and proceed south on Old National to Burdette Road, and carry runners and walkers through hilly residential neighborhoods before ending back at Old National Commons; and

**WHEREAS,** The 5K is one initiative of ONMA's strategic framework for revitalization, components of which are Business Climate; Recruitment; Retention and Expansion; and Image and Perception; and

**NOW, THEREFORE BE IT RESOLVED,** that the Mayor and the City Council of the City of South Fulton recognize the Old National Merchants Association 5K Run/Walk for Community Unity Day and do hereby proclaim Saturday, September 23, 2017, as "**OLD NATIONAL MERCHANTS ASSOCIATION 5K RUN/WALK FOR COMMUNITY UNITY APPRECIATION DAY**" in the City of South Fulton, Georgia.

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Councilmember Rosie Jackson



# **DIVIDER SHEET**

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**ORDINANCE No. 2017-017**

**AN ORDINANCE TO CREATE TITLE 7 OF THE CITY OF SOUTH FULTON  
CODE OF ORDINANCES, MUNICIPAL COURTS, TO ESTABLISH  
MUNICIPAL COURTS OF THE CITY AND FOR OTHER RELATED  
PURPOSES.**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, the City Council is authorized by O.C.G.A. § 36-32-1, *et seq.* to establish and maintain a municipal court having jurisdiction over the violation of City ordinances and over such other matters as are by general law made subject to the jurisdiction of municipal court;

**WHEREAS**, pursuant to City Charter Sections 5.10 and 5.13, the City is authorized to create a municipal court for the purpose of serving the City by punishing violations of the City Charter, City ordinances, and other such violations as provided by law;

**WHEREAS**, the City finds it to be in the public interest and for the health, safety, welfare, and well-being of the City and its inhabitants to establish a municipal court to hear such matters;

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS**  
as follows:

**Section 1: Establishment of Municipal Courts Ordinance**

Title 7 of the City of South Fulton Code of Ordinances is hereby established, which shall include the following language:

**Title 7: Municipal Courts**

**Section 2: Establishment of Municipal Courts Generally**

Chapter 1 of Title 7 of the City of South Fulton Code of Ordinances is hereby established, which shall include the following language:

**Chapter 1: In General**

**Sec. 7-1001. - Created.**

The city hereby creates the municipal court of the city. The court has the powers and jurisdiction set forth in sections 5.10 through 5.15 of the city Charter.

**Sec. 7-1002. - Judges.**

- (a) In accordance with section 5.11 of the Charter, the chief judge shall be nominated by the mayor and shall be confirmed by resolution of the city council. The chief judge shall serve a term of four years, coincident with the term of the mayor. Compensation of the chief judge and other judges shall be fixed by the city council.
- (b) The chief judge shall perform all duties authorized by state law, the charter, and the Uniform Rules, Municipal Courts of the State of Georgia, as amended from time to time ("Uniform Rules").
- (c) The chief judge shall take any and all such other actions as may be authorized for a chief judge of municipal court pursuant to the Uniform Rules, as may be approved by the council, and city ordinances.
- (d) In accordance with section 5.11(d) of the Charter, the chief judge may be removed for cause by a vote of five members of the city council or upon action taken by the Judicial Qualification Commission.
- (e) The City Council may approve additional municipal court judges by resolution, and the Mayor shall submit nominees to the City Council for approval. The municipal court judges shall serve a term of four years and may be reappointed to consecutive terms thereafter.
- (f) The municipal court judges may only be removed in accordance with the provisions of section 2.16 of the Charter.

**Sec. 7-1003. - Additional personnel.**

- (a) *Clerk of the court.* The city manager shall have the authority to hire or fire a municipal court clerk.
- (b) *Police.* Officers of the city police department or the county police department or the county sheriff's department, or any other law enforcement officer, may execute warrants and other writs in furtherance of the court's jurisdiction and orders.
- (c) *Bailiff.* At least one police department officer will serve as a bailiff whenever the municipal court is in session.
- (d) *Solicitor.* In accordance with section 4.12 of the Charter, the city attorney may be or may retain the prosecuting officer or solicitor in the municipal court, subject to the approval of the city council. The council may also, from time to time, appoint and contract with other attorneys who are members of the State Bar of Georgia to serve as a prosecuting attorney in municipal court. The compensation of said attorney shall be determined by the council.

**Sec. 7-1004. - Court sessions.**

The court shall be in session at least one day per month and other times as determined necessary by the clerk of court to keep the court dockets current.

**Sec. 7-1005. - Court fees.**

- (a) In accordance with section 5.13 of the Charter, the municipal court judges may set a schedule of fees to defray the cost of operation.
- (b) In accordance with section 5.13 of the Charter, the court may set city fines for violations of city ordinances, provided such fines do not exceed the statutory limits established by law.

**Sec. 7-1006. - Authority to enact rules and regulations.**

The chief judge has the full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court. All rules shall be subject to the approval of the council. Such rules shall be filed with the city clerk and made available on the city website or by other means determined by the council. Upon request, such rules must be furnished to all defendants in municipal court proceedings at least 48 hours prior to said proceedings.

All rules proposed by the municipal court must follow the procedures outlined in the Uniform Rules, Municipal Courts of Georgia.

**Sec. 7-1007. - Contempt of court.**

The court may find persons in contempt of court and punish said persons in accordance with section 5.13 of the Charter.

**Sec. 7-1008. - Fines.**

- (a) For fines that may be due by any defendant, execution may be issued by the court clerk and collected as provided by law. The municipal court shall have the discretion to enter fines consistent with this Code, and state and federal law.
- (b) Persons charged with traffic violations or other offenses as specified by the judge may, prior to the time for their court appearance, plead guilty in writing and pay to the city as their fine the amount set as the appearance bond for the offense charged. Those persons charged with driving under the influence of alcohol or drugs and other serious offenses, as determined by the municipal court judge, shall be required in all cases to appear before the court for disposition of the case.

**Sec. 7-1009. - Sentences.**

In addition to any applicable fines, and upon a judgment or plea of guilty or pretrial diversion, the municipal court judge may impose sentence of confinement, compulsory work, or both; commit the defendant to confinement, compulsory work or both; suspend the execution of the sentence in whole or in part; place the defendant on probation; or defer the execution of the sentence or any portion or portions thereof to one or more fixed dates in the future. The court may punish for violations within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for six months, or both; except as otherwise provided by this Code or state law.

#### **Sec. 7-1010. - Appeals.**

Unless specified elsewhere in the Code or Charter, all appeals from decisions of the municipal court shall be appealable, by right of certiorari, to the superior court of Fulton County under the laws of the state regulating the granting and issuance of writs of certiorari.

### **Chapter 2 - BAIL**

#### **Sec. 7-2001. - General provisions.**

Bail and bond considerations must be consistent with section 5.13(e) of the Charter and the Rule 18 of Uniform Rules, Municipal Courts of Georgia.

#### **Sec. 7-2002. - Minor traffic offenses.**

- (a) Pursuant to O.C.G.A. § 17-6-11, any person cited for a traffic offense shall be released in lieu of bail upon showing his or her driver's license. This provision does not apply to any charge of driving under the influence or other serious offenses designated by the chief judge.
- (b) All persons arrested or notified by citation or ticket of parking violations shall be released on their own recognizance.

#### **Sec. 7-2003. - Professional bondsmen.**

No professional bondsman shall be accepted as surety on a bail bond unless he holds a current business license in the city, is approved by the chief of police, and has fully complied with all other city requirements for bonding companies.

#### **Sec. 7-2004. - Failure or refusal to give bond.**

If the accused or a witness shall fail or refuse to give the bond and security as required under this chapter, the person so failing or refusing may be confined or kept under guard, so as to be present to abide the trial or to testify as the case may be.

### **Chapter 3 - COURT PROCEDURE**

#### **Sec. 7-3001 - Summons—Issuance.**

Any member of the department of police, the solicitor of the municipal court and the assistant solicitor, in all cases where a complaint is made or information is obtained of any violation of this Code or other laws or ordinances of the city, shall issue a summons, directed to the accused, requiring the accused to appear before the municipal court to answer this charge. The summons shall designate the time and place of trial and shall be signed by the member of the department of police, the solicitor or assistant solicitor issuing it and a copy thereof shall be served upon the accused either personally or by leaving the copy at the place of residence of the accused.

#### **Sec. 7-3002. - Same—Failure to appear.**

It shall be unlawful for any defendant lawfully summoned to answer charges in the municipal court to either fail, neglect or refuse to appear at the time and place specified in the summons or fail to provide a satisfactory explanation for this absence. Failure to appear in municipal court for any noticed appearance may be cause for the court to continue the case until such time as the court shall direct, and the court may issue an order requiring the police chief, or other members of the department of police, to arrest the defendant and bring the defendant before the court to answer both the initial charges and the charge for failing to appear. The chief of corrections shall keep the defendant in custody until the defendant is brought before the court, unless the defendant posts bond for appearance, as provided by law. Nothing herein stated shall be construed to abridge the right of the solicitor to bring an action against the defendant.

#### **Sec. 7-3003. - Subpoenas—Issuance.**

Whenever the attendance of any witness may be required before the municipal court to establish any fact, the clerk of the municipal court shall issue a subpoena directed to the witness, stating the time and place of trial and the parties to the case, which shall be served as other process by the police chief or other police officers.

#### **Sec. 7-3004. - Same—Failing or refusing to obey.**

If any person lawfully summoned as a witness before the municipal court shall either fail, neglect or refuse to attend the trial for which the person has been summoned or fail to provide a satisfactory explanation for this absence, the person may be cited for

contempt and be fined in a sum not to exceed \$200.00. If the cause is continued because of the absence of this person, the court may issue attachment against the person requiring the person to show cause on the day appointed for trial why the person should not be cited for contempt. The police chief or other police officer shall, by virtue of the attachment, arrest the person and keep the person in custody until the person is brought before the court, unless the person posts bond for appearance, as provided by law.

### **Sec. 7-3005 - Contempt.**

Any person who, during a sitting of the municipal court, shall be guilty of a contempt of court or who refuses to abide by an order of the court or sentence may be punished in the same manner as that provided in state law for contempt against the superior courts of this state.

### **Section 3: Severability**

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of South Fulton, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

### **Section 4: Repealer**

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

### **Section 5: Effective Date**

Unless specifically specified elsewhere in this Ordinance, the effective date of this Ordinance shall be \_\_\_\_\_.

\*\*\*\*\*

The foregoing Ordinance No. **2017-017** was adopted on \_\_\_\_\_ by Councilmember \_\_\_\_\_, who moved its approval. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	_____	_____
Catherine Foster Rowell,	_____	_____
Mayor Pro Tem		
Carmalitha Lizandra Gumbs	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2017. **CITY OF  
SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JOSH BELINFANTE, INTERIM CITY ATTORNEY



# **DIVIDER SHEET**

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**ORDINANCE No. 2017-018**

**AN ORDINANCE TO CREATE TITLE 8 OF THE CITY OF SOUTH FULTON  
CODE OF ORDINANCES, TRAFFIC AND VEHICLES, AND TO ESTABLISH  
GENERAL RULES OF THE ROAD FOR THE CITY OF SOUTH FULTON.**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, the City Council is authorized by O.C.G.A. § 4-6-371 to enact ordinances regulating motor vehicles and traffic with respect to streets and highways under their jurisdiction;

**WHEREAS**, pursuant to City Charter Section 1.12(b)(18), the City is authorized to regulate the operation of motor vehicles and exercise control over all traffic, including parking, upon or across the streets, roads, alleys, and walkways of the City;

**WHEREAS**, the City finds it to be in the public interest and for the health, safety, welfare, comfort, and well-being of the City and its inhabitants to regulate motor vehicles and traffic within the City;

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS**  
as follows:

**Section 1: Establishment of Traffic and Vehicles Code of Ordinance**

Title 8 of the City of South Fulton Code of Ordinances is hereby established, which shall include the following language:

**Title 8: Traffic and Vehicles**

**Section 2: Adoption of General Rules of the Road**

Chapter 1 of Title 8 of the City of South Fulton Code of Ordinances is hereby established, which shall include the following language:

**Chapter 1: In General**

**Sec. 8-1001. - Adoption of State and Federal Laws**

(a) *Adoption of federal law by reference.* For the purpose of regulating vehicles and traffic in the City, there is hereby adopted, as if fully set out herein, the following federal regulations:

- (1) Reference 49 C.F.R. 382, 383, 390-393, and 395-397, the Commercial Motor Vehicle Safety Act of 1986; and
- (2) The Federal "Out of Service" Criteria as amended from time to time.

(b) *Adoption of state law by reference.* Pursuant to Chapter 6 of Title 40 of the Official Code of Georgia Annotated, O.C.G.A. §§ 40-6-372 through 40-6-376, O.C.G.A. § 40-6-1 *et seq.*, known as the "Uniform Rules of the Road," and the definitions contained in O.C.G.A. § 40-1-1 are hereby adopted as and for the traffic regulations of this City with like effect as if recited herein.

#### **Sec. 8-1002. - Penalties.**

Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not more than six months, confinement at labor for a period of time not to exceed 30 days, or any combination thereof.

#### **Sec. 8-1003. - Temporary Traffic Regulations.**

In cases where traffic upon the streets may become congested upon occasions of parades, at theaters, and other public assemblages where large numbers of vehicles are assembled, the police may make temporary rules directing and regulating the traffic in these congested districts, and any person, who, after being warned of the temporary traffic regulations, shall violate them shall be liable for that violation as for other violations of this Chapter.

#### **Sec. 8-1004. - Funeral processions.**

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Funeral procession* means a group of vehicles traveling from a funeral home or similar business to a cemetery or other proper burial site. Funeral processions shall be lead by a funeral vehicle such as a hearse, and all cars in the procession shall burn regular headlights and stay in close formation.

(b) *Vehicles given the right-of-way; exception.* Vehicles of a funeral procession shall have the right-of-way over all vehicles, except authorized emergency vehicles, provided such vehicles shall identify themselves by burning regular headlights and

shall keep in close formation. When the lead vehicle in a funeral procession has entered an intersection on a green light, all other cars in the procession may proceed through the intersection, even though such signal may change to red.

**Sec. 8-1005. - Speed limits on City roadways.**

- (a) *Speed limits.* Public streets or parts of the public streets within the City shall be subject to maximum speed limits as provided by O.C.G.A. § 40-6-181, which is incorporated herein by reference, and further as identified by posted regulatory signs where applicable. The City may revise, add to, or amend the applicable maximum speed limits on its public streets pursuant to the statutes and regulations governing the establishment or alteration of speed limits and zones in the state.
- (b) *Speed detection devices.* All law enforcement personnel of the City who are certified in the use of speed detection devices are authorized to use such devices, in accordance with all applicable laws and regulations, in the locations designated by the City and as approved by the state department of transportation and the state department of public safety.

**Sec. 8-1006. - Skateboards and bicycles.**

- (a) No person shall ride a bicycle or propel rollerskates, skateboards, or other similar devices upon a public street, highway, or sidewalk in a manner which would constitute an unreasonable danger to the public or which would disrupt the public's ordinary and customary use of such street, highway or sidewalk.
- (b) No person shall ride a bicycle or propel rollerskates, skateboards, or other similar devices on sidewalks which are properly designated for pedestrians only. The chief of police and other departments of the City, after approval of the City manager, are authorized to erect or have erected signs on any sidewalk or roadway prohibiting the riding of bicycles or propelling of rollerskates, skateboards, or other similar devices. When such signs are in place, no person shall disobey the signs.
- (c) Whenever any person is riding a bicycle or skating upon a sidewalk, that person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian.
- (d) Any person violating any provision of this Chapter is guilty of a violation of this Chapter to be punished pursuant to Sec. 8-1002; provided, however, that any offender under the age of 17 years shall be treated as provided by O.C.G.A. Title 15, Ch. 11 (O.C.G.A. § 15-11-1 *et seq.*). The parent of any child and the guardian of the person of any ward shall not authorize or knowingly permit that child or ward to violate any provision of this section.

**Sec. 8-1007. - Private residential property trespass and private residential property trespass towing.**

- (a) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Park* means to park unattended or abandon a vehicle on private residential property without authority or permission of the owner or occupant of the private residential property.

*Private residential property* means residential property within the City which is privately owned and which contains not more than four residential units thereon.

*Vehicle* means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

*Wrecker or wrecker service* shall mean an automotive vehicle with hoisting apparatus and equipment for towing vehicles which meets the qualifications imposed by the Georgia Department of Public Safety and the City for nonconsensual towing pursuant to the provisions of O.C.G.A. § 44-1-13, as may be amended from time to time, and the transportation rules of the Georgia Department of Public Safety, as may be amended from time to time.

- (b) *Prohibited on private residential property without invitation.* It shall be unlawful for any person to park a vehicle upon private residential property in the City without invitation or permission from the owner or person in legal possession of the premises. Any person or his or her authorized agent entitled to the possession of any parcel or space of private residential property shall have the right to remove or cause to be removed from the private residential property any vehicle thereon which is not authorized to be at the place where it is found and to store or cause to be stored such vehicle.
- (c) *Removal and storage.* Upon notification by a person entitled to the possession of private residential property that a vehicle is trespassing thereon, the City police department shall provide such person with the name and telephone number of the City's authorized wrecker service for nonconsensual towing, as determined by resolution of the council of the City. The City police department shall not contact the wrecker service directly for the removal of the trespassing vehicle from the private residential property, but shall assist the person owning the private residential property by providing the name and telephone number of the City's authorized wrecker service for nonconsensual towing.
- (d) *State law adopted.* The provisions of O.C.G.A. § 44-1-13 are hereby adopted by reference.

**Sec. 8-1008. - Nonconsensual towing carriers; public electronic notification system; other purposes.**

- (a) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Department* means the Georgia Department of Public Safety.

*Nonconsensual towing* means without the prior consent or authorization of the owner or operator of the motor vehicle being towed.

*Nonconsensual towing carrier* means a wrecker service engaged in the towing of trespassing vehicles on private property without prior consent or authorization of the owner or operator of the vehicle and having a secure impoundment facility.

*Normal business hours* means operating hours of a nonconsensual towing carrier as approved by the Department.

*Secure impoundment facility* means a facility owned or leased by a towing company for the purpose of providing secure storage of towed vehicles.

*Wrecker* means an automotive vehicle with hoisting apparatus and equipment for towing vehicles. The term "wrecker" also includes any vehicle otherwise equipped and used for the purpose of towing vehicles.

- (b) *Compliance required.* The requirements of this section shall be in addition to any and all requirements of the Department in its authority to regulate and control the towing of trespassing vehicles on private property as provided in O.C.G.A. § 44-1-13. It shall be unlawful for any nonconsensual towing carrier to use or operate upon any of the streets of the City without complying with this section.
- (c) *Lettering on wreckers.* It shall be unlawful for any person, either as principal, agent or employee, to use or operate upon any street of the City any wrecker unless the vehicle shall have lettered on each side in plain view the name of the person owning and causing the wrecker to operate on the streets of the City, the address from which the wrecker is operating and the telephone number. This lettering shall be in a contrasting color to the color of the wrecker and shall be at least two and one-half inches in height, and shall be permanently affixed to the wrecker. Magnetic signs are prohibited.
- (d) *Notification upon removal of vehicle at request of other than police officer.*
- (1) The operator of any wrecker removing a vehicle at the request of any person other than a police officer on duty for the police department shall report by

electronic means to the police department the fact that the vehicle was removed, released and its present storage place, together with a description of the vehicle, vehicle identification number and the tag number. The electronic report shall be made by the wrecker driver by electronic communication within one hour of the deposit of the vehicle at its storage point and within 24 hours of its release to the vehicle owner or agent of the vehicle owner.

- (2) The police department shall be authorized to engage the services of a person or entity authorized by the state to provide notice to owners of towed or impounded vehicles.

(e) *Impound lot; attendant.*

- (1) Upon impoundment of any vehicle by a wrecker service, the wrecker service shall maintain all records required by the Department, including the following information:

- i. Date and time the call was received by the wrecker service;
- ii. Name of the caller;
- iii. Date and time of initial towing;
- iv. Place of initial towing;
- v. Date and time of arrival at the impound lot;
- vi. Date and time of release to the owner of the impounded vehicle; and
- vii. Name of the wrecker driver and helper.

- (2) The records required in subsection (1) above shall be maintained at a location where affected members of the public may obtain such information electronically, by telephone or in person, during normal business hours. Further, all wrecker services, public and private, which impound vehicles pursuant to this section shall register with the police department the current telephone number of the person responsible for releasing the vehicles.

- (3) It shall be unlawful for any wrecker service to operate in the City without employing the services of a check approval agency and the major credit card services; and it shall be unlawful to refuse to accept, in lieu of cash, any check which can be insured by a check approval agency, any draft drawn on a credit union which can be insured by a check approval agency or any major credit card for the payment of any and all fees and costs resulting from the towing and storage of the impounded vehicle. For purposes of this subsection, the term "major credit card" means a Visa, MasterCard, American Express and Discovery card.

- (f) *Penalties for violation of this section.* A violation of any provision of this section shall result in the following penalties:

First offense: \$250.00

Second and subsequent offenses: \$500.00

## **Sec. 8-1009. - Direction of traffic.**

- (a) It shall be unlawful for an individual, business, private contractor or other entity to utilize the services of an off-duty public safety officer to direct traffic in a public right-of-way within the City for its clients, employees or events without having obtained a permit from the City to do so as hereinafter provided. "Direction of traffic", as used in this section, shall mean the controlling or restricting of movement of any motor vehicle that is traveling in a public right-of-way within the City.
- (b) A public safety officer utilized by an individual, business, private contractor or other entity to direct traffic shall be approved by the City police department as qualified to do so and shall be subject to all applicable rules, regulations and guidelines of the City's police department.
- (c) Every individual, business, private contractor or other entity desiring to obtain a permit required by this section shall make written application to the City's revenue department in the form approved by the department. The application shall provide all information as may be requested by the City. Failure to furnish any information requested by the City in consideration of the application within 30 days of request by the City shall result in automatic dismissal of the application.
- (d) Any application for a permit submitted to the revenue department pursuant to this section shall be subject to the approval of the City's public works department, with the concurrence of the City's police department. Approval of a permit under this section, when given, is subject to modification or cancellation by the City at any time by providing seven days' written notice of modification or cancellation to the holder of the permit.
- (e) A permit issued under this section shall be renewable on an annual basis. At all times, an individual, business, private contractor or other entity having obtained a permit pursuant to this section must have on display, in a conspicuous location within the offices of the individual, business, private contractor or other entity as designated in the permit application, the permit for the current permitting year, to be available for inspection by authorized representatives of the City at all times.
- (f) Any individual, business, private contractor or other entity who violates this provision is guilty of a violation of this Code and shall be punished as provided in Sec. 8-1002.

### **Section 3: Severability**

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of South Fulton, Georgia, that such adjudication shall in no manner affect the other sections, sentences,

clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

**Section 4: Repealer**

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 5: Effective Date**

Unless specifically specified elsewhere in this Ordinance, the effective date of this Ordinance shall be \_\_\_\_\_.

\*\*\*\*\*

The foregoing Ordinance No. **2017-018** was adopted on \_\_\_\_\_ by Councilmember \_\_\_\_\_, who moved its approval. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	_____	_____
Catherine Foster Rowell,	_____	_____
Mayor Pro Tem		
Carmalitha Lizandra Gumbs	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2017. **CITY OF  
SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JOSH BELINFANTE, INTERIM CITY ATTORNEY



# **DIVIDER SHEET**

**STATE OF GEORGIA**

**COUNTY OF FULTON**

**CITY OF SOUTH FULTON**

**ORDINANCE NO. 2017-019**

**AN ORDINANCE GRANTING PERMISSION AND CONSENT TO COWETA-FAYETTE ELECTRIC MEMBERSHIP CORPORATION, A GEORGIA NON-PROFIT ELECTRIC MEMBERSHIP CORPORATION, AND ITS SUCCESSORS, LESSEES, AND ASSIGNS (HEREINAFTER REFERRED TO COLLECTIVELY AS THE "COMPANY") TO OCCUPY THE STREETS AND PUBLIC PLACES OF THE CITY OF SOUTH FULTON, A MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF GEORGIA (HEREINAFTER REFERRED TO AS THE "CITY"), IN CONSTRUCTING, MAINTAINING, OPERATING, AND EXTENDING POLES, LINES, CABLES, EQUIPMENT, AND OTHER APPARATUS FOR TRANSMITTING AND DISTRIBUTING ELECTRICITY AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, pursuant to Act 421 of the 2016 session of the Georgia General Assembly (the "City Charter"), the City of South Fulton incorporated on May 1, 2017;

**WHEREAS**, pursuant to Section 1.12(b)(32), the City is authorized to grant franchises or make contracts for public utilities and public services and to prescribe the rates, fares, regulations, and the standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor;

**WHEREAS**, the City considers collecting a franchise fee from an electric power company utilizing the public rights of way as compensation to the public for the use of the rights of way and a means of promoting the public health, safety, welfare and economic development of the City and to protect public works infrastructure,

**WHEREAS**, the City of South Fulton City Council finds it in the best interest of the City to adopt and enter into an Electricity Franchise Agreement as set forth herein with Coweta-Fayette Electric Membership Corporation.

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS**  
as follows:

**SECTION I.** Be it ordained by the governing authority of the City that the authority, right, permission, and consent are hereby granted to the Company, for a period of thirty-five (35) years from the granting of this franchise, to occupy and use the streets,

alleys, and public places of the City within the present and future corporate limits of the City as from time to time the Company may deem proper or necessary for the overhead or underground construction, maintenance, operation, and extension of poles, towers, lines, wires, cables, conduits, insulators, transformers, appliances, equipment, connections, and other apparatus (hereinafter referred to collectively as the "Company's Facilities") for use in various businesses and purposes, including transmitting, conveying, conducting, using, supplying, and distributing electricity for light, heat, power, and other purposes for which electric current may be or become useful or practicable for public or private use, and all purposes incidental thereto or reasonably related to business in which the Company is lawfully engaged, and to re-enter upon such streets, alleys, and public places from time to time as the Company may deem proper or necessary to perform these functions, and to cut and trim trees and shrubbery when and where necessary, in the judgment of the Company, to insure safe and efficient service.

**SECTION II.** Be it further ordained that the rights, permission, and consents herein contained are granted for the following considerations and upon the following terms and conditions:

1. The Company shall pay into the treasury of the City on or before the first day of March in each year following the granting of this franchise, a sum of money equal to four percent (4%) of the gross sales of electric energy to customers served under residential, commercial, and industrial rate schedules within the corporate limits of the City during the preceding calendar year.

2. The amount, if any, of any tax, fee, charge, or imposition of any kind required, demanded, or exacted by the City on any account, other than ad valorem taxes on property, shall operate to reduce to that extent the amount due from the percentage of gross sales provided for in paragraph 1 of this Section II.

3. The Company shall fully protect, indemnify, and save harmless the City from all damages to persons or property caused by the construction, maintenance, operation, or extension of the Company's Facilities, or conditions of streets, alleys, or public places resulting therefrom, for which the City would otherwise be liable.

4. The Company shall, in constructing, maintaining, operating, and extending the Company's Facilities, submit and be subject to all reasonable exercises of the police power by the City. Nothing contained herein, however, shall require the Company to surrender or limit its property rights created hereby without due process of law, including adequate compensation, for any other purpose at the instance of the City or for any purpose at the instance of any other entity, private or governmental.

5. For purposes of paragraph 6 of this Section II, the term "Distribution Facilities" means poles, lines, wires, cables, conductors, insulators, transformers, appliances, equipment, connections, and other apparatus installed by or on behalf of the Company (whether before or after the adoption of this ordinance) in the streets, alleys, or public places of the City for the purpose of distributing electricity within the present and future corporate limits of the City. Distribution Facilities do not include any of the

following: (i) electric transmission lines with a design operating voltage of 46 kilovolts or greater (hereinafter referred to as "Transmission Lines"); (ii) poles, towers, frames, or other supporting structures for Transmission Lines (hereinafter referred to as "Transmission Structures"); (iii) Transmission Lines and related wires, cables, conductors, insulators, or other apparatus attached to Transmission Structures; or (iv) lines, wires, cables, or conductors installed in concrete-encased ductwork.

6. In the event that the City or any other entity acting on behalf of the City requests or demands that the Company relocate any Distribution Facilities from their then-current locations within the streets, alleys, and public places of the City in connection with a public project or improvement, then the Company shall relocate, at its expense, the Distribution Facilities affected by such project or improvement. The Company's obligations under this paragraph 6 shall not affect the amounts paid or to be paid to the City under the provisions of paragraph 1 of this Section II. Notwithstanding the foregoing provisions of this paragraph 6, the Company shall not be obligated to relocate, at its expense, any of the following: (i) Distribution Facilities that are located on private property (which shall include those located on easements acquired by the Company from persons or entities other than the City) at the time relocation is requested or demanded; (ii) Distribution Facilities that are relocated in connection with sidewalk improvements (unless such sidewalk improvements are related to or associated with road widenings, the creation of new turn lanes, or the addition of acceleration/deceleration lanes); (iii) streetscape projects or other projects undertaken primarily for aesthetic purposes; (iv) Distribution Facilities that are converted from an overhead configuration or installation to an underground configuration or installation; (v) Distribution Facilities that do not obstruct or interfere with the safe use of the City's streets or public places, and that do not obstruct or interfere with plans for road widening, the creation of new turn lanes, or acceleration /deceleration lanes.

7. The City and the Company recognize that both parties benefit from economic development within the City. Accordingly, when it is necessary to relocate any of the Company's Facilities (whether Distribution Facilities, Transmission Lines, Transmission Structures, or other facilities) within the City, the City and the Company shall work cooperatively to minimize costs, delays, and inconvenience to both parties while ensuring compliance with applicable laws and regulations. In addition, the City and the Company shall communicate in a timely fashion to coordinate projects included in the City's five-year capital improvement plan, the City's short-term work program, or the City's annual budget in an effort to minimize relocation of the Company's Facilities. Such communication may include, but is not limited to, (i) both parties' participation in the Georgia Utilities Coordinating Council, Inc. (or any successor organization) or a local utilities coordinating council (or any successor organization) and (ii) both parties' use of the National Joint Utility Notification System (or any successor to such system mutually acceptable to both parties).

8. With regard to each project undertaken by or on behalf of the City for which the Company is not obligated, in accordance with paragraph 6, to pay the cost of relocation, the City shall pay the Company in advance for the Company's estimated cost to relocate any of the Company's Facilities (whether Distribution Facilities,

Transmission Lines, Transmission Structures, or other facilities) in connection with such project.

**SECTION III.** Be it further ordained that nothing contained in this ordinance shall limit or restrict the right of customers within the corporate limits of the City to select an electric supplier as may hereafter be provided by law.

**SECTION IV.** Be it further ordained that, notwithstanding anything herein to the contrary, the Company shall not be obligated to pay to the City the fee provided for herein, or any portion thereof, on the gross sales of electric energy to customers living within areas that, on the effective date of this franchise, are not both: (i) within the City limits on the effective date, and (ii) depicted as being within the City limits on the maps provided to Company and attached hereto as Exhibit A.

**SECTION V.** Be it further ordained that, notwithstanding anything herein to the contrary, the Company shall not be obligated to pay to the City the fee provided for herein, or any portion thereof, on the gross sales of electric energy to customers living within areas that, after the effective date of this franchise, are annexed to the corporate limits of the City before ninety (90) days after the Company receives written notice from the City that the City intends to annex (or has already annexed) the territory in which said customers are located. To be effective, any such notice must include an electronic map of the annexed areas in a format reasonably acceptable to Company.

**SECTION VI.** Be it further ordained that all notices under this ordinance shall be made in writing and shall be delivered or sent by (a) first class, registered or certified mail, postage prepaid, return receipt requested; (b) guaranteed overnight delivery (such as Federal Express or United Parcel Service Next Day Air); or (c) hand delivery addressed to the address of the party in question as set forth below or to such other addresses as either party may designate by notice given pursuant to this Section. Notices shall be effective upon receipt by the notified party.

**To the Franchising Authority:**

Mayor of City of South Fulton  
5440 Fulton Industrial Boulevard  
Atlanta, Georgia 30336

**To the Grantee:**

Coweta-Fayette Electric Membership Corporation  
Attn: Christopher L. Stephens, President and Chief Executive Officer  
807 Collinsworth Road  
Palmetto, Georgia 30268

**SECTION VII.** Be it further ordained that the Company shall, within ninety (90) days from the approval of this ordinance, file the Company's written acceptance of the franchise granted in this ordinance with the Clerk of the City.

**SECTION VIII.** Be it further ordained that upon such acceptance all laws and ordinances, and all agreements between the Company and the City with respect to the Company's use of the City's streets, alleys, and public places, in actual conflict herewith be and the same shall thereupon stand repealed and terminated, respectively.

The foregoing Ordinance No. **2017-019** was adopted on \_\_\_\_\_ and offered by Councilmember \_\_\_\_\_, who moved its approval. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	_____	_____
Catherine Foster Rowell (Mayor Pro Tem)	_____	_____
Carmalitha Lizandra Gumbs	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

The foregoing franchise accepted on

\_\_\_\_\_

COWETA-FAYETTE ELECTRIC  
MEMBERSHIP CORPORATION

By:

\_\_\_\_\_  
Christopher L. Stephens  
President and Chief Executive Officer

THIS ORDINANCE adopted this \_\_\_\_\_  
day of \_\_\_\_\_ 2017.

CITY OF SOUTH FULTON, GEORGIA

By:

\_\_\_\_\_  
William "Bill" Edwards  
Mayor

Attest:

By:

\_\_\_\_\_  
Mark Massey  
City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Josh Belinfante  
Interim City Attorney

EXHIBIT A

<MAPS DEPICTING CITY LIMITS>



# **DIVIDER SHEET**

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**ORDINANCE No. 2017-020**

**ADOPTION OF ORDINANCE RELATING TO MORTGAGES, CONVEYANCES TO SECURE DEBT, AND LIENS; TO PROVIDE FOR VACANT AND FORECLOSED PROPERTY REGISTRIES; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR GUIDELINES FOR VACANT AND FORECLOSED PROPERTY REGISTRIES; TO PROVIDE FOR EXEMPTIONS; TO PROVIDE FOR MAXIMUM FEES AND PENALTIES FOR REGISTRATION AND FAILURE TO REGISTER; TO PROVIDE FOR APPELLATE RIGHTS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government;

**WHEREAS**, the duly elected governing authority of the City is the Mayor and City Council;

**WHEREAS**, the City is charged with preserving the health, safety, and welfare of its citizens;

**WHEREAS**, the City finds that there is a need to establish a foreclosure and vacant real property registry as a mechanism to protect property values in neighborhoods for all property owners;

**WHEREAS**, the registry will ensure that owners of vacant properties meet minimum standards of maintenance and are aware of the obligations of ownership under relevant codes and regulations and are known to the City and other interested parties and can be reached if necessary;

**WHEREAS**, due to the lack of adequate maintenance and security of properties that are foreclosed or where ownership has been transferred after foreclosure, the property values and quality of life of neighboring properties are negatively impacted;

**WHEREAS**, improperly maintained and foreclosed properties can become a hazard to the health and safety of persons who may come on or near the property and can adversely affect the aesthetic and economic attributes of communities;

**WHEREAS**, difficulties arise in locating the person responsible for the condition of foreclosed real property;

**WHEREAS**, the City finds that there is a substantial need directly related to the public health, safety and welfare to comprehensively address the condition of foreclosed and vacant real property; and

**WHEREAS**, this foreclosure and vacant real property registry will require owners and agents to provide the City with official information for contacting a party responsible for bringing foreclosed and vacant real property into compliance with applicable provisions of municipal code of the City.

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS**  
as follows:

**Section 1:** The City of South Fulton Code of Ordinances, Chapter 5, Title 3 Building Regulations, is hereby established and enacted as follows:

**Sec. 3-5001. Short Title.**

This Chapter shall be known as the “City of South Fulton, Georgia Vacant and Foreclosed Real Property Registry Ordinance.”

**Sec. 3-5002. Definitions.**

- (a) **Agent:** An individual with a place of business in this state in which he or she is authorized to accept inquiries, notices, and service of process on behalf of a vacant or foreclosed real property owner. The definition of ‘agent’ shall have the same meaning as set forth in O.C.G.A. § 44-14-14 should that definition differ from the definition in this Chapter.
- (b) **Foreclosed Real Property:** Improved or unimproved real property and is held pursuant to a judicial or non-judicial foreclosure of a mortgage, deed of trust, security deed, or other security instrument securing a debt or obligation owed to a creditor or a deed in lieu of foreclosure in full or partial satisfaction of a debt or obligation owed to a creditor or shall have the same meaning as set forth in O.C.G.A. § 44-14-14 should that definition differ.
- (c) **Street Address:** The street or route address. Such term shall not mean or include a post office box. The definition of ‘street address’ shall have the same meaning as set forth in O.C.G.A. § 44-14-14 should that definition differ from the definition in this Article.
- (d) **Vacant Real Property:** Real property that:
  - (1) Is intended for habitation, has not been lawfully inhabited for at least 60 days, and has no evidence of utility usage within the past 60 days; or

- (2) Is partially constructed or incomplete, without a valid building permit.

Such term shall not include a building or structure containing multiple units with common ownership that has at least one unit occupied with evidence of utility usage. The definition of 'vacant real property' shall have the same meaning as set forth in O.C.G.A. § 44-14-14 should that definition differ from the definition in this Article.

### **Sec. 3-5003. Registration of Vacant or Foreclosed Property.**

- (a) Owner or agents of foreclosed real property or vacant real property, including foreclosed real property and vacant real property which is residential rental property, are required to register such property with the City of South Fulton Public Works office ("Office") within thirty (30) days of such property becoming foreclosed or vacant real property by following the provisions of this section unless otherwise exempted by this Chapter or state law.
- (b) Any such owner or agent of foreclosed real property or vacant real property located within the jurisdiction of the city is required to file with the Office a registration form in either electronic or paper format containing the following information:
  - (1) The real property owner's name, street address, mailing address, phone number, facsimile number, and e-mail address;
  - (2) The agent's name, street address, mailing address, phone number, facsimile number, and e-mail address;
  - (3) The real property's street address and tax parcel number;
  - (4) The transfer date of the instrument conveying the real property to the owner; and
  - (5) At such time as it becomes available, recording information, including deed book and page numbers, of the instrument conveying the real property to the owner.
- (c) Registration is required for all vacant or foreclosed real property unless otherwise exempted, pursuant to this Chapter, but is not required for vacant or foreclosed real property within 90 days of such real property's transfer:
  - (1) Pursuant to a deed under power of sale or deed in lieu of foreclosure; or
  - (2) To the first subsequent transferee after the vacant real property has been acquired by foreclosure under power of sale pursuant to O.C.G.A. § 44-14-160, or acquired pursuant to a deed in lieu of foreclosure.
- (d) Any owner or agent required to register any vacant or foreclosed real property pursuant to this Chapter or to Georgia law shall also be required to update the

information specified in subsection (b) of this section within 30 days after any change in such required information regardless of whether the information provided to the registry was in the deed under power of sale or deed in lieu of foreclosure.

#### **Sec. 3-5004. Foreclosed and Vacant Real Property Exemptions.**

- (a) Registration or payment of any administrative fees of foreclosed real property pursuant to this Chapter and Georgia law is not required of transferees as described in subsection (b) of this section.
- (b) Any transferee who acquires any real property by foreclosure under power of sale pursuant to O.C.G.A. § 44-14-160 or acquires any real property pursuant to a deed in lieu of foreclosure and:
  - (1) The deed under power of sale or deed in lieu of foreclosure contains the information specified in subsection (b) of Section 3-\_\_003;
  - (2) The deed is filed with the clerk of the superior court of Fulton County within 60 days of the transfer; and
  - (3) Proof of the following is provided to the office or the officer in charge of the city foreclosed real property registry:
    - (A) A filing date stamp or receipt showing payment of the applicable filing fees; and
    - (B) The entire deed under power of sale or entire deed in lieu of foreclosure.
- (a) Any owner or agent required to register any vacant or foreclosed real property pursuant to this Chapter or to Georgia law shall also be required to update the information specified in subsection (b) of Section 3-\_\_003 within 30 days after any change in such required information regardless of whether the information provided to the registry was in the deed under power of sale or deed in lieu of foreclosure.

#### **Sec. 3-5005. Removal from Registry.**

- (a) Any owner or agent of a vacant or foreclosed real property may apply to the City of South Fulton Public Works Department to remove a vacant or foreclosed real property from the city registry at such time as the real property no longer constitutes a vacant or foreclosed real property.
- (b) Any application for removal allowed under subsection (a) of this section shall be granted or denied by the City of South Fulton Public Works Department within 30 days, and if no such determination is made within 30 days then the application for removal from the registry shall be deemed granted.

- (c) If the property was sold, a copy of the HUD-1 statement and Security Deed must be provided as proof. If the property is rented by a tenant, a copy of the lease signed by the landlord must be provided as proof.

### **Sec. 3-5006. Administrative Fees.**

Any owner or agent of a vacant or foreclosed real property which is required to be registered with the city under this Chapter shall be required to make a payment for administrative fees that reasonably approximate the cost to the city of the establishment, maintenance, operation, and administration of the registry in a non-refundable amount of \$100.00 per registration. This is a one time registration fee, with the exception of a change in ownership. The new owner will be responsible to re-register the property under their name if the property remains vacant.

### **Sec. 3-5007. Appeal Procedures.**

- (a) Any owner or agent aggrieved of any determination or decision of the City of South Fulton Public Works Department or the city in the administration of this Charter may appeal to the municipal court of the city. All appeals hereunder must be taken within thirty (30) days of the decision in question by filing with the City of South Fulton a notice of appeal specifying the grounds thereof.
- (b) The City of South Fulton Public Works Department shall forthwith transmit to the notice of appeal and all the papers constituting the record upon which the action appealed was taken to the municipal court clerk who shall schedule an appeal hearing within sixty (60) days following the date the appealing party submits its completed written appeal with subsection (a) above.
- (c) The municipal court judge may call for further information to be provided within the next thirty (30) days following the hearing, and may continue the hearing for the purpose of receiving such information or for such other proceedings and reasons as the municipal court judge deems appropriate.
- (d) An appeal shall stay all proceedings in furtherance of the action appealed from unless the City of South Fulton Public Works Department certifies to the municipal court, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property. In such case, the proceedings shall not be stayed except by order of the municipal court judge on notice to the City of South Fulton, and on due cause shown.
- (e) The municipal court judge may, in conformity with the provisions of this Chapter, reverse or affirm, in whole or in part, or modify the decision, requirement, or determination of the City of South Fulton Public Works Department appealed from by the owner or agent and may make such decision, requirement, or determination, as may be appropriate under the circumstances.

### **Sec. 3-5008. Administration.**

- (a) The foreclosure and vacant real property registry is subject to the Open Records Act of the State of Georgia and the city may make such registry information available online.
- (b) Registration information shall be deemed prima facie proof of the statements contained therein in any court proceeding or administrative enforcement proceeding in connection with the enforcement of this Chapter.

### **Sec. 3-5009. Nuisances.**

Nothing in this Chapter shall be construed to impair, limit, or preempt in any way the power of the city to enforce any applicable codes, as defined in state law, or to define or declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

### **Sec. 3-5010. Penalties.**

Any owner or agent required to register a vacant or foreclosed real property under this Chapter who fails to register or fails to update the information of this Chapter, Registration of Vacant or Foreclosed Property, may be fined up to \$1,000.00 per occurrence.

**Section 2:** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 3:** If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

**Section 4:** This ordinance shall become effective immediately upon its adoption by the City Council.

The foregoing Ordinance No. **2017-020**, adopted on \_\_\_\_\_ was offered by Councilmember \_\_\_\_\_, who moved its approval. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____	_____
Carmalitha Lizandra Gumbs	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

**CITY OF SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JOSH BELINFANTE, INTERIM CITY ATTORNEY



# **DIVIDER SHEET**

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**ORDINANCE No. 2017-021**

**ADOPTION OF FINANCIAL POLICY ORDINANCE AND AMENDMENT TO  
EXISTING ORDINANCES NO. 2017-003 and 2017-007**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, Sections 6.22 through 6.25 of the City Charter authorizes the City Council to enact budget ordinances and controls;

**WHEREAS**, Chapter 81 of Title 36 of the Official Code of Georgia Annotated mandates that municipal governments enact annual budgets and budget controls;

**WHEREAS**, the City Council seeks to amend Ordinance 2017-003 to provide additional ordinances governing the budget process;

**WHEREAS**, Ordinance No. 2017-007 established the City’s revenue policies;

**WHEREAS**, the City finds it to be in the public interest and for the protection of the public welfare to establish detailed financial policy through a set of ordinances:

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS**  
as follows:

**Section 1: Repeal of Existing Budget Ordinance**  
Code Section 2-2005 is hereby repealed in its entirety.

**Section 2: Enactment of Budget Ordinance**

Chapter 8 of Title 1 of the Official Code of the City of South Fulton shall be entitled “Budget” and is hereby created as follows:

**Sec. 1-8001 - Purpose**

The purpose of this statement of financial policy of the City is to serve as a foundation for long and short term range planning, facilitate decision making, and provide direction to the City Council and operational staff for handling the City's day-to-day financial business. Because of the diverse nature of the City's departments, committees and blended component units, having written defined financial policies

minimizes the risk of developing conflicting or inconsistent goals and objectives which could have a negative impact on the overall financial condition of the City.

**Sec. 1-8002 - Fiscal year and Budget Calendar.**

- (a) The fiscal year for the City shall commence on October 1 and end on September 30 of each following year.
- (b) The City Manager shall submit to the Council at least six (6) weeks prior to the start of the municipal fiscal year a budget message and a budget report, accompanied by a draft of the recommended municipal appropriations ordinance, in a form and manner as may be prescribed by ordinance, which shall provide for the appropriation of the funds necessary to operate all the various departments, and to meet the current expenses of the City for the next fiscal year.

**Sec. 1-8003 – Municipal Budget Policy.**

- (a) The City Council shall annually appropriate by ordinance, the funds necessary to operate all the various agencies and departments, and to meet the current expenses of the City for the next fiscal year. The City Council shall comply with all state laws applicable to budget hearings, public notices, public inspection of budget documents, and budget adoption.
- (b) The City Council shall not appropriate funds for any given fiscal year, which, in aggregate, exceed a sum equal to the amount of unappropriated surplus expected to have accrued in the City treasury at the beginning of the fiscal year, together with an amount not greater than the total municipal receipts from existing revenue sources anticipated to be collected in the fiscal year, less refunds as estimated in the budget report and amendments thereto.
- (c) All appropriated funds, except for the mandatory appropriations required by law and those required to meet contractual obligations or the continued appropriation and authorization of state or federal grants, remaining unexpended and not contractually obligated at the expiration of the municipal appropriations ordinance, shall lapse and return to the City's general fund.
- (d) All state or federal funds received by the city are hereby continually appropriated in the exact amounts and for the purposes authorized and directed by the state or federal government making the grant.
- (e) The adoption of an annual budget for the next fiscal year shall not in itself constitute specific approval for the expenditures identified therein which shall be subject to the requirements set forth in Section 6.24 of the City Charter.

(f) The appropriation for each department, office, bureau, board, commission, function or line item for which appropriation is made shall be for a specific amount of money and, except where required by state law or expressly by ordinance, no appropriation shall allocate to any object the proceeds of any particular tax or a part or percentage thereof.

(g) The City will finance all current expenditures with current revenues and will avoid budgetary procedures that balance current expenditures through the obligation of future resources. The city will avoid using short term financing to meet operating budget requirements.

(h) All budgets for governmental funds (general, special revenue and capital project) must be balanced. Budgets for proprietary funds (enterprises and internal service) will be prepared to establish fees and charges and to maintain managerial control.

(i) Department appropriations. In addition to the provisions set forth in this Chapter:

(1) The City budget shall be adopted at the legal level of control, which is the fund/department level, and no department may exceed its appropriated funds.

(2) Transfers of appropriations within a department shall require the approval of the City Financial Officer. Transfers of appropriations between departments for funds, an increase in personal services appropriation(s), or an increase in the level of authorized positions shall require approval of the City Council.

(3) Department directors and elected officials are directed to operate within budget limitations to prevent emergency situations.

(j) The City will maintain a budgetary accounting control system to ensure adherence to the adopted annual budget, and will prepare timely financial reports comparing actual revenues and expenditures with budgeted amounts.

(k) All budgets will be adopted on a basis of accounting consistent with generally accepted accounting principles (GAAP) as applicable to governments, including all relevant Government Accounting Standards Board (GASB).

#### **Sec. 1-8004 – Budget Ordinances**

(a) Each municipal appropriations ordinance, now in force or hereafter adopted with all amendments as are adopted from time to time, shall continue in force and effect for the next fiscal year after adoption and it shall then expire except for

any mandatory appropriations required to meet contractual obligations or the continued appropriation and authorization of state or federal grants.

(b) The budget ordinance shall make appropriations in such sums as the City Council may deem sufficient, whether or not those sums are the same as those presented in the City Manager's proposed budget. The budget ordinance or resolution shall be adopted at a public meeting which shall be advertised in accordance with the procedures set forth in Chapter 81 of Title 36 of the Official Code of Georgia Annotated.

(c) The City Council may adopt supplementary appropriations as set forth in this ordinance.

(1) In addition to the appropriations made by the municipal appropriations ordinance and amendments thereto, the City Council may make additional appropriations by an affirmative vote in favor of an ordinance making such a change. Such ordinance shall be known as supplementary appropriations ordinances, provided no supplementary appropriation shall be made unless there is an unappropriated surplus in the City treasury or the revenue necessary to pay the appropriation has been collected into the general fund of the City treasury as provided by law.

(2) In no event shall a supplementary appropriations ordinance continue in force and effect beyond the expiration of the municipal appropriations ordinance in effect when the supplementary appropriations ordinance was adopted and approved.

#### **Sec. 1-8005. – Municipal Fund Balance.**

(a) The city shall maintain a prudent level of financial resources to protect against financial disruptions of City and to provide services in the case of temporary revenue shortfalls, unpredicted one-time expenditures, natural disasters or emergencies and to maintain sufficient working capital and cash flow to meet current financial needs at all times.

(b) The city's definition of fund balance for its governmental fund types will conform to generally accepted accounting principles (GAAP) as applicable to governments, including all relevant Government Accounting Standards Board (GASB). For the purposes of this Ordinance, and in accordance with GASB 54, the following terms shall be defined as follows:

(1) *Assigned* — financial resources whose use is restricted by management based on the intended use of those resources per the City Council of the City;

(2) *Committed* — financial resources whose use is restricted by action of the City Council which will remain binding unless removed in the same matter creating the restriction;

(3) *Nonspendable* — financial resources that will never convert to cash, that will not convert to cash soon enough to affect the current period, or that must be maintained intact pursuant to legal or contractual requirements;

(4) *Restricted* — financial resources that are subject to externally enforceable legal restrictions such as debt covenants, federal or state grant requirements, private donors/contributors, or other governmental entities;

(5) *Unassigned* — any residual net resources available after consideration of designation of nonspendable, restricted, committed or assigned fund balance.

(c) The City's general fund may maintain all five (5) components of fund balance.

(d) The lowest level of fund balance classification for the City's special revenue funds will be committed fund balance. Committed fund balance will be used first when paying expenses, unless the expense is for purchases which were listed as being used from restricted fund balance classification.

(e) The lowest level of fund balance classification for the City's capital project funds will be assigned fund balance for the funding of specific projects. An assigned fund balance will be spent first, unless the expenditure(s) is tied to a restricted fund balance amount. Once a project is completed, any fund balance remaining will be transferred back to the fund(s) which was the original funding source.

(f) Debt service funds will only classify fund balances as nonspendable or restricted. When debt expenses are paid, the City will use restricted fund balance first. All debt services funds will maintain a fund balance at a level to retire the debt. Once all debt is retired, or the fund balance is sufficient to retire all remaining debt, any remaining fund balance will be transferred to other City funds or projects as directed by the Governing Body.

(g) The City shall maintain as an ending unassigned fund balance for its general fund of at least two and one-half (2½) months of its prior fiscal year's actual amounts budgetary basis operating expenditures of its general fund as reflected in the City's most recent annual audit report's statement of "Budgetary Comparison Schedule - General Fund." In the event that governmental accounting standards change which eliminate the inclusion of the "Budgetary Comparison Schedule - General Fund", a statement of similar nature should be used in its place.

(1) If the general fund's unassigned fund balance fall below the minimum targeted level as defined in this policy, the City Council shall approve and adopt a plan to restore the general fund's unassigned fund balance to its target level within a twenty-four (24) month period. If due to severe financial hardship of the City, the general fund's unassigned fund balance cannot be restored within this period, the City Council shall establish a different time period.

(2) Any general fund's unassigned fund balances which exceed the minimum level established by this policy may be appropriated by the City Council for non-recurring capital projects, equipment or other operating uses.

(3) The City Council shall avoid the appropriation of general fund's unassigned fund balance for recurring operating or capital expenditures unless there is some extraordinary, non-recurring event which would require the appropriation in order to meet the needs of the citizenry or an emergency.

(h) The City shall classify its enterprise funds' net assets as Restricted, Unrestricted or Invested in Capital Assets. The City's Unrestricted Net Assets of all of its enterprise funds should be sufficient to cover operating expenses and infrastructure replacements. Unrestricted Net Assets will be spent first, unless the expense was for a restricted asset.

**Sec. 1-8006. - Accounting and auditing policy.**

(a) All funds of the City will be audited in compliance with O.C.G.A. §§ 36-81-7, and 36-81-20, and Generally Accepted Audit Standards as issued by Auditing Standards Board of the American Institute of Certified Public Accountants and Government Auditing Standards as issued by the Comptroller General of the United States of America.

(b) The City's annual financial report will be prepared in accordance with generally accepted accounting principles (GAAP) as issued by the Financial

Accounting Standards Board of the America Institute of Certified Public Accountants and with generally accepted governmental accounting principles as issued by the Governmental Accounting Standards Board.

(c) The City will maintain accurate records of all its assets to insure a high degree of stewardship for public property.

(d) The City shall maintain an ongoing system of financial reporting to meet the needs of the mayor and council, department directors, and the general public. The reporting system will provide for budgetary control, for monitoring of the cost of providing services, and for comparative analysis.

**Sec. 1-8007. - Debt policy.**

(a) As mandated by Article 9, Section 5, Paragraph 1 of the Constitution of the State of Georgia, the City's direct general obligation indebtedness not exceed ten percent (10%) of assessed value of all taxable property within the City's limits.

(b) The City shall confine long term indebtedness to capital improvements projects.

(c) The City will strive to not use short term debt for funding current operations.

(d) The City will use approved general obligation debt to fund general purpose public improvements which cannot be financed from current revenues, available general fund balances, or other current sources of capital financing.

(e) Long term financing of the city's enterprise funds will be used only when revenues of the debt issuing fund is sufficient to satisfy operating expenses and debt service requirements.

**Sec. 1-8008. - Investment policy and cash management.**

(a) The City will maintain a conservative program of investing all funds under the direction of the Mayor and the City Treasurer.

(b) The City investment program shall comply with all state and federal laws, rules and regulations for investing public funds and with safekeeping/security requirements.

(c) The City's investment program shall be operating based on these principles; provided, however, this section shall create no cause of action in any person:

(1) Safety — Principal is protected from loss with secure investment practices and collateralization.

(2) Liquidity — Investments are readily convertible to cash when needed without incurring principal losses.

(3) Return of investment — Earning yields are maximized without diminishing the above principal.

(d) The City shall ensure that all public funds are collateralized in accordance with state and federal law, thereby guaranteeing the safety of public deposits. The City will establish administrative procedures to maintain such pledged collateral and will utilize pooled collateral systems provided by the state and local depositories when possible.

(e) The City will periodically reevaluate its banking services and will initiate competitive negotiation and bidding processes, if deemed necessary. The process may include the development of an RFP requesting quotations for banking services, services fees and earning rates available. Selection of a bank for banking services will be based on receiving the most efficient and cost effective proposals.

**Sec. 1-8009. - Monetary receipt policy.**

(a) The policy of the City is that all liquid monetary assets are properly, completely and timely accounted for on a daily basis. It is the duty of the City's elected officials, management and employee to the citizens of the City to ensure that all monetary assets received by the City are recorded for occurrence and completeness, physically secured and controlled, deposited timely, and allocated to City's general ledger accounts in a timely and efficient manner. Liquid monetary assets are defined as cash, checks, credit cards payment, electronic payments, ACH (Automated Clearinghouse) or wires payments.

(b) The purpose of this policy is:

(1) To maximize the revenue accruing to the City through the investment of city funds and any trust funds to the extent allowed by law, ordinance, and contract.

(2) To minimize the clerical efforts required to handle, process, and account for all monies received.

(3) To maximize the accountability of monies received by the City.

(c) All monetary assets received by offices of the City, or any of its related entities, shall be deposited timely, meaning within two (2) working days, into the City's banking system(s).

(d) Department directors/supervisors are responsible for the safekeeping of monetary assets received by their departments and the prompt receipting into the City's cash management program, or the prompt transfer to the City Treasurer's office for receipting into the cash management program.

(e) All monetary assets received in a day will be deposited in the form in which they are received.

(f) Cash received shall not be used to pay any City bills, cash personal checks, or be used for any other type of transaction.

### **Section 3: Creation of Chapter 9 of Title 1: Purchasing, Contracting, and Disposition of Property.**

#### **Sec. 1-9001. - Contracting procedures.**

(a) Other than contracts for employment, no contract with the City shall be binding on the City unless:

(1) It is in writing;

(2) It is drawn or submitted to and reviewed by the city attorney, and as a matter of course, is signed by the city attorney to indicate such drafting or review; and

(3) It is made or authorized by the mayor and council pursuant to lawfully enacted ordinances.

(b) The original of all contracts shall be maintained on file in the office of the city clerk.

#### **Sec. 1-9002. - Purchasing procedures.**

The City Council shall prescribe by ordinance the procedures for all purchases of real and personal property by the City. Prior to the making of purchases and contracts, the availability of adequate funds shall be certified as provided by ordinance.

#### **Sec. 1-9003. - Sale and disposition of property.**

The City Council shall prescribe by ordinance the procedures for all sales and other disposition of real and personal property by the City.

### **Section 4: Creation of Chapter 10 of Title 1: Fund Balance Policy**

#### **Sec. 1-100001. – Purpose.**

This policy is created in consideration of unanticipated events that could adversely affect the financial condition of the City and jeopardize the continuation of necessary public services in order to address the implications of the Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Definitions.

This policy will ensure that the city maintains adequate fund balances and reserves in order to:

- (1) Provide sufficient cash flow for daily financial needs;
- (2) Secure and maintain investment grade bond ratings;
- (3) Offset significant economic downturns or revenue shortfalls; and
- (4) Provide funds for unforeseen expenditures related to emergencies.

This policy and the procedures promulgated under it supersede all previous regulations regarding the City's fund balance and reserve policies.

#### **Sec. 1-100002. – Fund type definitions.**

The following definitions will be used in reporting activity in governmental funds across the city. The City may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

The *general fund* is used to account for all financial resources accounted for and reported in another fund.

*Special revenue funds* are used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt services or capital projects.

*Debt service funds* are used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

*Capital project funds* are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

*Permanent funds* are used to account for resources restricted to the extent that only earnings, and not principal, may be used for purposes that support the city's purposes.

#### **Sec. 1-100003. – Fund balance reporting in governmental funds.**

Fund balance will be reported in governmental funds under the following categories using the definitions provided by GASB Statement No. 54:

- 1) *Nonspendable fund balance* —Includes amounts that cannot be spent because they are either not in spendable form or legally or contractually required to be

maintained intact. Nonspendable amounts will be determined before all other classifications and consist of the following items (as applicable in any given fiscal year):

- a) The City will maintain a fund balance equal to the balance of any long-term outstanding balances due from others (including other funds of the city)
  - b) The City will maintain a fund balance equal to the value of inventory balances and prepaid items (to the extent that such balances are not offset with liabilities and actually result in fund balance)
  - c) The City will maintain a fund balance equal to the corpus (principal) of any permanent funds that are legally or contractually required to be maintained intact.
  - d) The City will maintain a fund balance equal to the balance of any land or other non-financial assets held for sale.
- 2) *Restricted fund balance* —Includes amounts that can be spent only for the specific purposes stipulated by the constitution, external resource providers, or through enabling legislation.
- 3) *Committed fund balance* —Includes amounts that can be used only for the specific purposes determined by a formal action of the city council. Commitments will only be used for specific purposes pursuant to a formal action of the City Council. A majority vote is required to approve or remove a commitment.
- 4) *Assigned fund balance* —Includes amounts intended to be used by the City for specific purposes but do not meet the criteria to be classified as restricted or committed. In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed. The City Council delegates the City Financial Officer the authority to assign amounts to be used for specific purposes. Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund.
- 5) *Unassigned fund balance* —Includes the residual classification for the city's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification should be used only to report a deficit balance from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

#### **Sec. 1-100004. – Operational Guidelines.**

The following guidelines address the classification and use of fund balance in governmental funds:

- 1) *Classifying fund balance amounts.* Fund balance classifications depict the nature of the net resources that are reported in a governmental fund. An individual

governmental fund may include nonspendable resources and amounts that are restricted, committed, or assigned, or any combination of those classifications. The general fund may also include an unassigned amount.

- 2) *Encumbrance reporting.* Encumbering amounts for specific purposes for which resources have already been restricted, committed or assigned should not result in separate display of encumbered amounts. Encumbered amounts for specific purposes for which amounts have not been previously restricted, committed or assigned, will be classified as committed or assigned, as appropriate, based on the definitions and criteria set forth in GASB Statement No. 54.
- 3) *Prioritization of fund balance use.* When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the City to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the city that the committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.
- 4) *Minimum unassigned fund balance.* The city will maintain a minimum unassigned fund balance in its general fund of 16 percent of the subsequent year's budgeted expenditures. This minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment.
- 5) *Replenishing deficiencies.* When fund balance falls below the minimum 16 percent, the city will replenish shortages/deficiencies using the budget strategies and timeframes described below.
  - The city will reduce recurring expenditures to eliminate any structural deficit; or
  - The city will increase revenues or pursue other fund sources; or
  - A combination of the two options above.

Minimum fund balance deficiencies shall be replenished within the following time periods:

- A deficiency resulting in a minimum fund balance between 16 percent and 11 percent of the subsequent year's budgeted expenditures shall be replenished over a period not to exceed one year.
  - A deficiency resulting in a minimum fund balance between 11 percent and six percent of the subsequent year's budgeted expenditures shall be replenished over a period not to exceed three years.
- (5) *Surplus fund balance.* Fund balance will be considered a surplus if over 21 percent of the subsequent year's budgeted expenditures. Should unassigned fund balance of the general fund ever exceed 20 percent, the city will consider

such fund balance surpluses for one-time expenditures that are nonrecurring in nature.

**Sec. 1-100005. – Implementation and review.**

Upon adoption of this policy the City Council authorizes the finance department to establish any standards and procedures which may be necessary for its implementation. When the need arises, the finance department shall make any necessary recommendation to the city council for changes to this policy.

**Section 5: Amendment to Title 2, Revenue**

Amending Title 2, Chapter 1 by adding the following:

**Sec. 2-1001. - Revenue administration policy.**

(a) The City will strive to maintain a diversified and stable revenue stream to protect against short term fluctuations in any single revenue source.

(b) The City will estimate its revenues by an objective analytical process in a prudent manner.

(c) The City will follow a policy of paying for services with user charges where practical to reduce the reliance on taxes and other general revenue sources.

(d) The City will seek public and private grants, contracts and other outside sources of revenues for funding projects where appropriate.

(e) The City will establish the levels of all user charges based on an analysis of the cost of providing the service(s). User charges will be evaluated periodically.

(f) The City shall set fees for each enterprise and internal service fund at a level that fully supports the total direct and indirect cost of the fund. The City shall not set user fees for its enterprise funds which results in extra income to be used to subsidize the services of any governmental fund.

The foregoing ordinance No. **2017-021** adopted on \_\_\_\_\_, was offered on \_\_\_\_\_ by Councilmember \_\_\_\_\_, who moved its approval. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____	_____
Carmalitha Lizandra Gumbs	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2017. **CITY OF  
SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JOSH BELINFANTE, INTERIM CITY ATTORNEY



# **DIVIDER SHEET**

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**ORDINANCE No. 2017-022**

**ADOPTION OF DEBT POLICY ORDINANCE**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, Sections 6.22 through 6.25 of the City Charter authorizes the City Council to enact budget ordinances and controls;

**WHEREAS**, Chapter 81 of Title 36 of the Official Code of Georgia Annotated mandates that municipal governments enact annual budgets and budget controls;

**WHEREAS**, the City finds it to be in the public interest and for the protection of the public welfare to establish detailed financial policy through a set of ordinances:

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS**  
as follows:

**Section 1: Enactment of Debt Policy Ordinance**

Chapter 11 of Title 1 of the Official Code of the City of South Fulton shall be entitled “Debt Policy” and is hereby created as follows:

**Sec. 1-110001 - Introduction**

City of South Fulton recognizes that one of the keys to sound financial management is a debt policy. These benefits are recognized by bond rating agencies and the development of a debt policy is a recommended practice by the Government Finance Officers Association. A debt policy establishes the parameters for issuing and managing debt. It provides guidelines regarding the timing and purposes for which debt may be issued, presents the types of permissible debt, and the methods of sale that may be used. The debt policy should recognize an obligation to fully and timely repay all debt as an essential requirement for entry into the capital markets. Adherence to a debt policy helps to ensure that a government maintains a sound financial position and that credit quality is protected.

The debt policy is to be used in conjunction with the operating and capital budgets, the Capital Improvement Program (CIP), and other financial policies. The advantages of a debt policy are:

- enhancing the quality of decisions;

- documenting the decision-making process;
- identifying objectives for staff to implement;
- demonstrating a commitment to long-term financial planning objectives; and
- being viewed positively by the bond rating agencies.

## **Sec. 1-110002 - Debt Instruments**

General obligation bonds are bonds secured by a promise to levy taxes in an amount necessary to pay debt service, principal and interest, coming due each fiscal year. General obligations bonds are backed by the full faith and credit of the City. These bonds are authorized by a referendum or by non-voted (2/3's) authorization by the governing body. The non-voted authorization allows governments to issue up to two-thirds of the previous year's net debt reduction without a referendum.

Revenue bonds are a pledge of the revenues generated by the debt financed asset or by the operating system of which that asset is a part.

Special obligation bonds are bonds that are payable from the pledge of revenues other than locally levied taxes. Examples include the beer and wine tax or enterprise revenues.

Certificates of Participation (COPs) are an alternative financing method that does not require voter approval. These certificates represent an undivided interest in the payments made by a public agency pursuant to a financing lease or an installment purchase agreement. The security for this financing is represented by a lien on the property acquired or constructed. The City uses COPs for City facilities.

An Installment Purchase Contract is an agreement in which the equipment or property is acquired and periodic payments, which are sufficient to pay debt service, are made.

## **Sec. 1-110002 - City Debt Policy**

- (a) Long-term debt shall not be used to finance ongoing operational expenses.
- (b) Any debt issued shall not have a maturity date beyond the useful life of the asset being acquired or constructed by the debt proceeds.
- (c) The City shall establish an affordable debt level to preserve credit quality and ensure sufficient revenue is available to pay annual debt service. This will be balanced against the City's need to maintain its infrastructure and manage growth.
  - i. The City will use appropriate debt instruments to provide funding for capital assets at the lowest cost with minimal risk. The City will monitor its debt positions to maintain the lowest effective cost.
  - ii. The City will, at all times, manage its debt and sustain its strong financial position, including healthy reserves, to seek and maintain the highest credit rating possible.

### **Sec. 1-110003 - Purposes for Debt Issuance**

The City may issue debt for the purpose of acquiring or constructing capital assets including land, buildings, machinery, equipment, furniture and fixtures. When feasible, debt issuance will be pooled together to minimize issuance expense. Annually, the City will prepare and adopt a Capital Improvement Program (CIP) to identify and establish an orderly plan to meet the City's infrastructure needs. The CIP will also identify all debt-funded projects and the related debt service impact.

### **Sec. 1-110004 - Debt Structure**

Debt will be paid off in a timeframe that is less than or meets the useful life of the asset or project acquired through the financing. The life of the debt, interest mode and principal maturity schedule make up the structure of the debt. This debt could be general obligation, revenue or special obligation bonds, certificates of participation or other installment financing agreements.

The City will consider various financing techniques including fixed or variable interest rate debt and interest rate swap agreements in order to minimize the interest costs over the life of the issue. The use of these techniques will be evaluated based on market conditions and the maximum benefit to the City while minimizing the City's risk. The City will limit the ratio of unhedged variable rate debt to 35% of the total outstanding debt.

### **Sec. 1-110005 - Debt Ratios**

The City shall abide by the following debt ratios:

(a) Overall Debt as a Percentage of Assessed Valuation

This ratio measures debt levels against the property tax base which generates the tax revenues that are the main source of debt repayment. The ceiling for this ratio is 4.0%.

(b) Overall Debt per Capita

This ratio measures the burden of debt placed on the size of the population supporting the debt and is widely used by rating analysts as a measure of an issuers' ability to repay debt. This measure will not exceed \$2,200.

(c) General Debt Service as a percentage of Operational Expenditures

This ratio reflects the City's budgetary flexibility to adapt spending levels and respond to economic condition changes. This ratio is targeted at a level of 12% with a ceiling of 14%. The City's policy is to manage to the target of 12%. The ceiling of 14% is meant to provide flexibility in extraordinary circumstances.

(d) Ten-year Payout Ratio

This ratio reflects the amortization of the City's outstanding debt. A faster payout is considered to be a positive credit attribute. The City will maintain a floor for its ten-year payout of 64.0%.

These ratios will be calculated and reported each year in conjunction with the capital budget process, the annual financial audit and as needed for fiscal analysis.

#### **Sec. 1-110006 - Debt Management Policies**

- (a) The City will issue debt only for the purposes of constructing or acquiring capital assets and for making major renovations to existing capital assets.
- (b) The City shall not construct or acquire a public facility if it is unable to adequately provide for the subsequent annual operation and maintenance costs of the facility.
- (c) The City will ensure that adequate systems of internal control exist so as to provide reasonable assurance as to compliance with applicable laws, regulations, and covenants associated with outstanding debt.
- (d) The City will manage debt issuance to comply with the adopted debt limits and will evaluate those limits at least every five years.
- (e) The City will attempt to structure debt in the best and most appropriate manner consistent with the financial policies of the City to level principal repayment and minimize interest expense.
- (f) The City will monitor its outstanding debt in relation to existing conditions in the debt market and will refund any outstanding debt when sufficient cost savings can be realized or utilize interest rate swap agreements to achieve cost savings.
- (g) To reduce the impact of capital programs on future years, the City will fund a portion of its CIP on a pay-as-you-go basis by:
  - appropriating proceeds from all City sales for capital projects.Pay-as-you-go funding will save money by eliminating interest expense on the funded projects. Pay-as-you-go capital appropriations improve financial flexibility in the event of sudden revenue shortfalls or emergency spending.

#### **Sec. 1-110007 - Administration and Implementation**

The City Manager and the Chief Financial Officer are responsible for the administration and issuance of debt including the completion of specific tasks and responsibilities included in this policy. The City will evaluate the debt policy at least every five years.

## **Sec. 1-110008 - Capital Planning and Debt Determination**

The Citizens Capital Budget Advisory Committee (CCBAC) appointed by the City Council, reviews departments' and other agencies' capital requests and recommends capital projects based on needs. The City Manager provides a recommended Capital Improvement Program (CIP) for consideration by the City Council. The City Council then approves both a five-year needs assessment and an annual capital budget. The City Council adopts capital projects ordinances which provide budgetary authority.

Funding of the capital budget will be determined in conjunction with the approval of the CIP by the City Council. Available pay-as-you-go funding and debt issuance will be allocated to fund the CIP based on the debt management policy. Debt financing will also be considered for equipment items that normally do not go through the CCBAC, but are included in departmental requests.

All voted authorizations for those purposes authorized by the Local Government Bond Act will be scheduled for referendum in November at the time of the general election. When possible, the City will utilize the non-voted (two-thirds) bond authorization for bonds to fund projects, such as government facilities.

The City uses a combination of bonds and Certificates of Participation (COPS) to finance capital assets. COPs do not require voter approval but do require collateral as security. COPs are usually used to finance projects deemed essential by the governing body and timing is such that it is impractical to seek voter approval.

Any capital item that has not been included in either of the above two processes, but because of its critical or emergency nature where timing was not anticipated in the CIP or budgetary process, or is mandated immediately by either State or Federal requirements, will be considered for financing by installment purchase contract.

## **Sec. 1-110009 - Issuance of Debt**

The scheduling and amount of bond sales and installment purchase transactions will be recommended by the Chief Financial Officer and the City Manager. The City Council must approve the sale. These decisions will be based upon the identified cash flow requirements for each project to be financed, market conditions, and other relevant factors including the debt ratios. If the cash requirements for capital projects are minimal in any given year, the City may choose not to issue debt. Instead, the City may fund up-front project costs and reimburse these costs when financing is arranged. In these situations, the City will adopt a reimbursement resolution prior to the expenditure of project funds.

Variable rate bonds, revenue and special obligation bonds and COPs will be sold on a negotiated basis with the underwriter selection determined through a competitive process. Underwriters will be selected for each issue based on the experience and expertise necessary for that issue.

Debt service for each issue will be structured to level out the City's total debt service payments over the life of the debt portfolio. This structuring also assists in minimizing the interest payments over the life of the issue. Structuring must take into consideration current market conditions and practices in the municipal finance market.

#### **Sec. 1-110010 - Legality**

The City must receive an opinion acceptable to the market from a nationally recognized law firm that each financing transaction complies with applicable law and all agreements in connection with any financing are legal, valid and binding obligations of the City.

#### **Sec. 1-110011 - Interest Rate Exchange Agreements**

Interest Rate Exchange Agreement shall mean a written contract entered into in connection with the issuance of City debt or in connection with City debt already outstanding with a counterparty to provide for an exchange of payments based upon fixed and/or variable interest rates. The City will govern the use of Interest Rate Exchange Agreements by the policy described in Attachment I to this debt management policy.

#### **Sec. 1-110012 -Continuing Disclosure**

The City will provide on-going disclosure information to established national information repositories and maintain compliance with disclosure standards promulgated by state and national regulatory agencies. The City will maintain good communications with bond rating agencies to inform them about the City's financial position by providing them the City's Comprehensive Annual Financial Report (CAFR) and operating and capital improvements Budget.

#### **Sec. 1-110013 -Arbitrage Rebate Reporting**

The City will comply with all arbitrage rebate requirements as established by the Internal Revenue Service and all disclosure requirements established by the Securities and Exchange Commission. This effort includes tracking investment earnings on bond proceeds, calculating rebate payments in compliance with the tax law and remitting rebatable earnings to the federal government in a timely manner to preserve the tax-exempt status of the City's outstanding debt issues.

The foregoing Ordinance No. **2017-022** adopted on \_\_\_\_\_ was offered by Councilmember \_\_\_\_\_, who moved its approval. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____	_____
Carmalitha Lizandra Gumbs	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2017. **CITY OF SOUTH FULTON, GEORGIA**

**“FIRST READING”**

\_\_\_\_\_  
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JOSH BELINFANTE, INTERIM CITY ATTORNEY

## **Attachment I**

### **City of South Fulton**

#### **Interest Rate Exchange Agreement Policy**

This policy will govern the use by City of South Fulton (the “City”) of Interest Rate Exchange Agreements. “Interest Rate Exchange Agreement” shall mean a written contract entered into in connection with the issuance of City debt or in connection with City debt already outstanding with a counterparty to provide for an exchange of payments based upon fixed and/or variable interest rates. The failure by the City to comply with any provision of this policy will not invalidate or impair any Interest Rate Exchange Agreement.

#### **The Conditions under Which Interest Rate Exchange Agreements May Be Entered Into**

##### *Purposes*

Interest Rate Exchange Agreements may be used for the following purposes only to:

1. achieve significant savings as compared to a product available in the bond market if the use of derivatives helps to achieve diversification of a particular bond offering;
2. enhance investment returns within prudent risk guidelines;
3. prudently hedge risk in the context of a particular financing or the overall asset/liability management of the City;
4. incur variable rate exposure within prudent guidelines;
5. achieve more flexibility in meeting overall financial objectives than available in conventional markets; and
6. accomplish a financial objective not otherwise obtainable using traditional financing methods.

##### *Legality*

The City must receive an opinion acceptable to the market from a nationally recognized law firm that the Interest Rate Exchange Agreement is a legal, valid and binding obligation of the City and entering into the transaction complies with applicable law.

##### *Speculation*

Interest Rate Exchange Agreements shall not be used for speculative purposes. Associated risks will be prudent risks that are appropriate for the City to take.

## **Methods by Which Such Contracts Shall be Solicited and Procured**

In general, the City should procure Interest Rate Exchange Agreements by competitive bidding. The City shall determine which parties it will allow to participate in a competitive transaction. The City has the right to accept matching bids to diversify counterparty risk or reward firms for ideas and work performed. The parameters for the bid must be disclosed in writing to all potential bidders.

Notwithstanding the above, the City may procure Interest Rate Exchange Agreements by negotiated methods when the City makes a determination that, due to the size or complexity of a particular swap, a negotiated transaction would result in the most favorable pricing and terms or innovation.

To facilitate the procurement of Interest Rate Exchange Agreements, the City will engage an independent financial advisory firm to assist in the price negotiations, in the development of terms and in risk assessment. The City shall obtain an independent opinion that the terms and conditions of the Interest Rate Exchange Agreement reflect a fair market value of such agreement as of the date of its execution.

## **Form and Content of Interest Rate Exchange Agreements**

To the extent possible, the Interest Rate Exchange Agreements entered into by the City shall contain the terms and conditions set forth in the International Swap and Derivatives Association, Inc. (“ISDA”) Master Agreement, including any schedules and confirmation. The schedule should be modified to reflect specific legal requirements and business terms desired by the City.

The City shall consider including provisions that permit the City to assign its rights and obligations under the Interest Rate Exchange Agreement and to optionally terminate the agreement at its market value at any time. In general, the counterparty shall not have the right to optionally terminate an agreement.

### *Events of Default*

Events of default of a counterparty shall include the following:

1. failure to make payments when due;
2. material breach of representations and warranties;
3. illegality;
4. failure to comply with downgrade provisions; and/or
5. failure to comply with any other provisions of the agreement after a specified notice period.

The City will have the right to terminate the agreement upon an event of default by the counterparty. Upon such termination, the counterparty will be the “defaulting party” for purposes of calculating the termination payment owed.

## **Aspects of Risk Exposure Associated with Such Contracts**

Before entering into an Interest Rate Exchange Agreement, the City shall evaluate all the risks inherent in the transaction. These risks to be evaluated could include:

- a. counterparty risk – the risk of a payment default on a swap by an issuer’s counterparty;
- b. termination risk – the risk that a swap has a negative value and the issuer owes a breakage fee if the contract has to be terminated;
- c. rollover risk – the risk of a failed remarketing or auction with respect to any variable rate bonds associated with a swap; or the risk that an issuer cannot secure a cost-effective renewal of a letter or line of credit;
- d. basis risk - the risk that floating rate cash flow streams may diverge from each other;
- e. tax event risk – the risk that the spread between taxable and tax-exempt rates will change as a result of changes in income tax laws or other conditions; and
- f. amortization risk – the risk that the amortization of the swap will not be fully integrated with the amortization of the underlying bonds.

The City shall endeavor to diversify its exposure to counterparties. To that end, before entering into a transaction, it should determine its exposure to the relevant counterparty or counterparties and determine how the proposed transaction would affect the exposure. The exposure should not be measured solely in terms of notional amount, but also how changes in interest rates would affect the City’s “Value at Risk” exposure for outstanding agreements.

## **Counterparty Selection Criteria**

The City may enter into an Interest Rate Exchange Agreement if the counterparty has at least two long term unsecured credit ratings in the double A category from Fitch, Moody’s, or S&P and the counterparty has demonstrated experience in successfully executing Interest Rate Exchange Agreements. If after entering into an agreement the ratings of the counterparty are downgraded below the ratings required, then the agreement shall be subject to termination unless (a) the counterparty provides either a substitute guarantor or assigns the agreement, in either case, to a party meeting the rating criteria reasonably acceptable to the City or (b) the counterparty (or guarantor) collateralizes the Interest Rate Exchange Agreement in accordance with the criteria set forth in this Policy and the Interest Rate Exchange Agreement.

## **Provisions for Collateralization**

Should the rating of the counterparty, or if secured, the entity unconditionally guaranteeing its payment obligations not satisfy the requirements of the Counterparty

Selection Criteria, then the obligations of the counterparty shall be fully and continuously collateralized by (a) direct obligations of, or obligations the principal and interest on which are guaranteed by, the United States of America or (b) direct obligations of U.S. Agencies and such collateral shall be deposited with the City or an agent thereof. The specific collateral requirements for each Interest Rate Agreement shall be set forth in the corresponding swap documentation.

### **Long-Term Implications**

In evaluating a transaction involving the use of Interest Rate Exchange Agreements, the City shall review long-term implications associated with entering into Interest Rate Exchange Agreements, including costs of borrowing, historical interest rate trends, variable rate capacity, credit enhancement capacity, opportunities to refund related debt obligations and other similar considerations.

### **Methods to be used to Reflect Such Contracts in the City's Financial Statements**

The City shall reflect the use of Interest Rate Exchange Agreements on its financial statements in accordance with generally accepted accounting principles.

### **Monitoring**

The City shall monitor the performance of Interest Rate Exchange Agreements and may employ a financial advisor to assist in evaluating the effectiveness of its Agreements. A written report, provided at a minimum quarterly, shall include at least:

1. preparing a description of each contract, including a summary of its terms and conditions, the notional amount, rates, maturity and other provisions thereof;
2. determining any amounts which were required to be paid and received, and that the amounts were paid and received;
3. determining that each counterparty is in compliance with its rating requirements;
4. determining that each counterparty is in compliance with the downgrade provisions, if applicable (See Counterparty Selection Criteria);
5. assessing the counterparty risk, termination risk, basis risk and other risks, which shall include the marked to market value for each counterparty and relative exposure compared to other counterparties and a calculation of the City's Value at Risk for each counterparty; and
6. determining, at least quarterly, that all posted collateral, if required, has a net market value of at least the collateral in the Interest Rate Agreement.

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**ORDINANCE No. 2017-024**

**AMENDMENT TO EXISTING ORDINANCE NO. 2017-003  
FOR TRANSPARENCY IN MAYORAL & CITY MANAGER APPOINTMENTS**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, Section 3.10 of the City Charter vests in City Council all the powers of government not otherwise prohibited by the Charter;

**WHEREAS**, Section 4.15 of the City Charter authorizes the City Council to establish personnel policies and procedures;

**WHEREAS**, the City Council seeks to amend Ordinance 2017-003 to provide additional ordinances governing ethics

**WHEREAS**, the City finds it to be in the public interest and for the protection of the public welfare of the City of South Fulton to codify its existing practice:

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS**  
as follows:

**Section 1: Amending Chapter 2**

Amending Ordinance 2017-003 to include Chapter 2, which shall provide policies and rules for conduction Open Meetings:

Inserting a new sub-paragraph to Section 2-4001 (a) which reads:

- i. Any appointment requested of the Mayor, City Manager or City Department Head of any individual representing the City of South Fulton to any governmental entity, quasi-governmental authority, municipal association or Board or Chamber of Commerce, Education, Transportation, Economic Development or any department or agency dealing with Air and water pollution, environmental issues, Animal regulations, Appropriations and expenditures, Building regulations, Business regulation and taxation, Condemnation, Contracts, Emergencies, Ethics, Health, Safety, and welfare of citizens, including Police and Fire protection, Health and sanitation, Garbage fees, Gifts, Homestead exemption, Infrastructure, Jail sentences, Motor vehicles, Municipal debts or property, Public utilities or services, Planning and zoning, Roads, Retirement, Sewer fees, Solid waste disposal, Special areas

of public regulation, Special assessments, Taxes, Taxicabs or any other areas of government for which City Council has been vested with explicit or permissive authority shall be reported to City Council, in writing, within 48 hours of such a request being made.

- ii. The name and resume or CV nominated to fill any such appointment by the Mayor, City Manager or City Department Head shall be delivered in writing to the City Council within 8 hours of being offered, and included in the Public Agenda packet of the next Regular City Council Meeting.

### **Section 2: Effective Date**

Unless specifically specified elsewhere in this Ordinance, the effective date of this Ordinance shall be September 1, 2017.

The foregoing Ordinance No. **2017-024** adopted on \_\_\_\_\_, was offered by Councilmember \_\_\_\_\_, who moved its approval. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____	_____
Carmalitha Lizandra Gumbs	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2017. **CITY OF  
SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JOSH BELINFANTE, INTERIM CITY ATTORNEY



# **DIVIDER SHEET**



## MAYOR'S VETO

### Section 3.21. Submission of Ordinance to the Mayor

(a) Every ordinance, resolution, or other action adopted by the city council shall be presented to the mayor for signature within five (5) business days following the adoption of such ordinance, resolution or other action by the city council. The mayor shall have the right to veto any ordinance adopted by the city council, in accordance with the procedure set forth in Section 3.21 of the City Charter.

(b) The mayor, within ten (10) business days following receipt of an ordinance, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance to the city clerk within ten (10) business days of receipt, it shall become law at 12:00 Midnight on the tenth business day after receipt. If the ordinance is vetoed by the mayor, the mayor shall submit to city council, through the city clerk, the reasons for the mayor's veto. The city clerk shall record upon the ordinance the date of its delivery to and its receipt from the mayor.

(c) An ordinance vetoed by the mayor shall automatically be on the agenda at the next regular meeting of the city council for reconsideration. The city council may override a veto by the mayor and adopt any ordinance that has been vetoed by the mayor by the affirmative votes of a least five (5) councilmembers, not including the mayor.

(d) In addition, the mayor may disapprove or reduce any item or items of appropriation in any ordinance or resolution. The approved part or parts of any ordinance or resolution making appropriations shall become law, and the part or parts disapproved or reduced shall not become law unless subsequently passed by the city council over the mayor's veto as provided herein. The disapproved or reduce part or parts of any such ordinance or resolution shall be presented to the city council as though disapproved and shall not become law unless overridden by the city council as set forth in subsection (c) of this section.

**Date of Adoption:** 8/22/2017 **Item Number:** Res2017-041

**Subject:** Official Seal for the City of South Fulton

**Reason for Veto:** See attached. In addition, all concerns of the legal department have not been addressed.

The proposed seal for the City of South Fulton is contrary to global diversity initiative of leading corporations and businesses seeking to locate to the City of South Fulton. Most Fortune 100 and Fortune 500 companies have diversity initiatives that are inclusive and tolerant; therefore, anything contrary to that is a deterrent to the establishment of business and professional relationships.

Branding the City of South Fulton with the proposed seal warrants/deserves public participation like "renaming the City".

**Date to Mayor:** 8/23/2017 **Date of Veto:** 8/25/2017

**Mayor's Signature:** 

**Date Received by City Clerk:** August 25, 2017

**Date to Councilmembers:** August 25, 2017



RECEIVED  
AUG 24 2017  
City of South Fulton

- **Directly associated with Ancient Egyptian religion:** The COSF has a rich, diverse interfaith community in which many of them will not be represented in our seal. Covert and Overt religious ties and beliefs.
  - **The Ankh** has multiple religious meanings and it is also associated with mythology, cults, The Illuminati and Satanic worship.
  - **The Falcon or Hawk** is usually associated with the God Horus. It is believed that the Falcon had special protective powers and is often represented hovering over or protecting a Pharaoh. Horus was often the ancient Egyptians' national guardian deity. He was usually depicted as a falcon-headed man wearing the pschent, or a red and white crown, as a symbol of kingship over the entire kingdom of Egypt.
- **Inclusion and Diversity Concerns:** Lacks Inclusion and Diversity which can hamper economic development activities in the city as culturally diverse business owners may view it as an affront to non-African American business owners i.e., large chain, large scale corporate employers with the ability to raise the earning potential of our citizens are likely to seek more welcoming neighboring cities.
- **Human Resources Concerns:** recruiting and retention of staff based on implied diversity. The suggested seal is discriminate and could be viewed as a violation of the city's non-discriminatory practices.
- **Inclusion and Diversity Concerns & Human Resources Concerns:** May be a deterrent to employers who are not of African-American descent.; which could potentially pose an employee discrimination risk to the city.
- **Language Concerns:** *Kujichagulia* – Swahili language which means Self-Determination. The English language is designated as the official language of the State of Georgia.
- **Explanation:** Although there was commentary presented in the council meeting, to explain the meaning of the seal; there will be no commentary to explain the seal where printed. The seal must speak for itself.



## MAYOR'S SIGNATURE PAGE

The mayor, within ten (10) business days following receipt of a Resolution, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If a Resolution has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return a Resolution to the city clerk within ten (10) business days of receipt, it shall become law at 12:00 Midnight on the tenth business day after receipt.

The mayor acknowledges receipt of the noted Item listed below:

**Date of Adoption:** 8/22/2017    **Item Number:** Res2017-041

**Subject:** Official Seal of the City of South Fulton

**Date Received by Mayor:** 8/23/2017

☐

APPROVED

☒

DISAPPROVED

**Mayor's Signature:**   
WILLIAM "BILL" EDWARDS

**Date to City Clerk:** Aug. 24, 2017

## **RESOLUTION NO. 2017-041**

### **RESOLUTION ADOPTING THE OFFICIAL SEAL FOR THE CITY OF SOUTH FULTON**

**WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and

**WHEREAS**, Section 7.15(c) of the City Charter authorizes the elected Mayor and City Councilmembers to meet prior to May 1, 2017 and take actions to bind the City;

**WHEREAS**, on April 23, 2017, the Fulton County City Council of Elections certified the election results of the runoff elections of the Mayor and City Councilmembers;

**WHEREAS**, the City Council desires to change the current Seal to the attached Seal; and

**WHEREAS**, once the attached Seal is approved by the City Council, it will be the official Seal of the City of South Fulton.

**THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH FULTON, GEORGIA.**

The foregoing Resolution No. **2017-041** adopted on **August 22, 2017** was offered by Councilmember Mark Baker, who moved its approval. The motion was seconded by Councilmember khalid kamau, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____	_____✓_____
Carmalitha Lizandra Gumbs	_____✓_____	_____
Helen Zenobia Willis	_____✓_____	_____
Gertrude Naeema Gilyard	_____✓_____	_____
Rosie Jackson	_____✓_____	_____
khalid kamau	_____✓_____	_____
Mark Baker	_____✓_____	_____

THIS RESOLUTION adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2017. **CITY OF  
SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JOSH BELINFANTE, INTERIM CITY ATTORNEY





# **DIVIDER SHEET**



CITY OF SOUTH FULTON  
COUNCIL AGENDA ITEM



**SUBJECT:** Communications Strategy

**DATE OF MEETING:** Tuesday, August 12, 2017

**DEPARTMENT:** Communications & External Affairs

Work Session ( )  
Regular Meeting ( \*\* )  
Recommendation ( )  
Policy/Discussion ( )  
Presentation ( )  
Other ( )

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**BACKGROUND:** (HISTORY, FACTS AND ISSUES)

The Communications and External Affairs Director came on board August 7, 2017. This agenda item will be the presentation of the initial Communication Strategy for the City of South Fulton.

**RECOMMENDED ACTION:** NA

**DEPARTMENT HEAD:** Chata M. Spikes

**DATE:** Sept. 8, 2017

**BUDGET: 2018 Recommended**

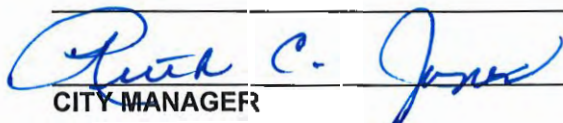
\$226,704 Salary and Benefits  
\$ 34,500 Operating

**FUNDING SOURCE:**

Account:

**FINANCE APPROVAL:**  **DATE:** 9/8/2017

**ADMINISTRATIVE COMMENTS AND RECOMMENDATION:** \_\_\_\_\_

  
CITY MANAGER

9-8-2017  
DATE

Action Taken By Council: \_\_\_\_\_

VERSION 1.0  
SEPTEMBER 5, 2017



# TACTICAL MARKETING PLAN

PRESENTED BY: CHATA SPIKES  
CITY OF SOUTH FULTON  
DIRECTOR OF COMMUNICATIONS AND EXTERNAL AFFAIRS

## TACTICAL MARKETING PLAN

### EXECUTIVE SUMMARY

The City of South Fulton has recently been catapulted into conversations as the most recent city chartered in the State of Georgia; making it the state's fifth largest city. Many in the City of South Fulton (CoSF) are hopeful that the city's unique characteristics, location and access to commerce can be used as a catalyst to create broader opportunities for residents and businesses, including economic development and job creation.

Indeed, there is great potential in the City of South Fulton. The City has an abundance of marketable assets, as it is centrally located just south of the world's busiest airport, Hartsfield-Jackson Atlanta International Airport and filled with unspoiled landscapes coupled with urban amenities. However, the City of South Fulton must face the challenges related to introducing the City to residents, stakeholders and business leaders.

Prior to fully implementing the recommendations outlined in this marketing plan, the City should take into great consideration how the function of marketing should operate and be managed. A dedicated and centralized effort to controlling the accuracy, consistency and frequency of the City's marketing program will be most effective in reshaping the City's image.

The recommendations are focus on a marketing and communications strategy that supports and enhances the City's reputation to help attract new residents, businesses and organizations.

1. Market Segmentation: What are the target segments for the City of South Fulton and what are the key messages that should be delivered to each segment?
2. Market Awareness: How can the City of South Fulton drive awareness to each segment and what channels can be used?
3. Key Partnerships: What key partnerships should the City of South Fulton develop to support its re-branding goal?

The strategies and recommendations captured in this report will lay the foundation for a rich marketing program to expand and mature. By implementing these recommendations and committing to an ongoing and agile marketing and branding effort, the City of South Fulton will be well positioned to realize its long-term vision.

### COMMUNICATIONS AND EXTERNAL AFFAIRS

The City of South Fulton has nearly 100,000 stakeholders. Those stakeholders include residents and business leaders/employees and visitors; they are provided with information pertaining to meetings, activities, services, policies and procedures through various forms of communications such as: city notices, social media and media partnerships and informal communications to include: word of mouth participation in programs/groups, and community based applications.

### Vision of Communications/External Affairs

The City of South Fulton will maintain open and honest communication with residents, employees, and stakeholders. We are committed to providing relevant and accurate information using a variety of methods that are accessible, creative, coherent, and timely. Ultimately, we strive to meet the information needs of a diverse population.

Three essential functions of Communications:

- **Manage** the reputation of the City
- **Inform** residents
- **Participate** in two-way engagement with citizens.

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### STRATEGIES

- Ensure accuracy, consistency, and frequency in all internal and external communication efforts.
- Increase awareness of CoSF's position to develop credibility and trust.
- Utilize tools and techniques that resonate most with the City's target market.
  - Increase social media presents
  - Establish a city newsletter (hard copy and electronic versions)
  - Utilize online surveys to gauge the pulse of constituents, business leaders and stakeholders.

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### MEDIA RELATIONS

- Create a proactive approach to generating positive media about the City of South Fulton.
- Establish a relationship with local, regional and governmental media to generate favorable news exposure about:
  - Economic development potential
  - Increase coverage around new, progressive city programs and/or services
  - Tout the City's benefits to potential residents and businesses that are considering relocating.

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### COMMUNICATIONS STREAMS

- **Community/External Communications:**
  - promote city events, meetings, services, and programs.
- **Citizen-focused communication:**
  - Be relevant to our community

**Goal:** *To provide communications tools, channels and services that meet the information and feedback needs of citizens, as well as a two-way mechanism for citizen input. To be measured by a citizen satisfaction survey with a focus on communications.*

- Projects to support this focus area:
  - Development of the city's website

- Establish social media accounts - Complete
  - Facebook, Twitter, Instagram, Periscope
  - Info@cityofsouthfultonga.gov email
  - City newsletter
  - Good News Email
  - Nextdoor App
- Projects to support this focus area in the next two years:
  - City of South Fulton App
  - City Access Television Station
- **Internal Communications:**
  - Internal communication to employees, issues and crisis communication, media relations and public affairs.
  - “[F]ocuses on the organization as a whole and on the important task of how an organization presents itself to all of its key stakeholders both internal and external.”<sup>1</sup>
- **Proactive and reputation-building communications**  
The City must build and maintain a reputation as an active and engaged partner in the city’s development.

**Goal:** *To increase key stakeholder understanding and valuing of the services provided by the City, and increase trust in City administration as effectively managing collective resources to provide effective and efficient public services.*

- Projects to support this focus area in the next two years:
  - Issue an annual report
  - Develop a proactive media relations strategy (i.e., ads & billboards, etc.)

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## EVENTS

Attracting business and residents is an effective method to display the City’s strengths. Industry and networking events can help City of South Fulton establish and deepen relationship, widen networks, and provide opportunities for media exposure.

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## PUBLIC-PRIVATE PARTNERSHIPS

Develop a list of Immediate partnership opportunities for the City.

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## STRATEGIC PRIORITIES

It is important to prepare for the challenges and barriers that the City will be up against as it begins to develop its marketing. Bridging the gap between the City’s external reputation and its internal reality will require a long-term commitment to controlling and managing the accuracy, consistency and frequency of its marketing program.

### ➤ Proposed Actions

1. Ensure accuracy, consistency, and frequency in all internal and external communication efforts

- Centralize all internal marketing activities
- Include marketing objectives and strategies in city planning and documentation
- Develop a marketing communication process
- 2. Increase awareness of CoSF's position to develop credibility and trust
  - Create wish list of publications to target and gather key contacts within publication
  - Develop tailored pitches and distribute to targeted media
- 3. Create task forces within current Advisory Council to focus on specific initiatives
  - Regularly meet with stakeholders (citizens, business leaders) initiate conversation around the City's vision to gauge interest and collect feedback
  - Identify areas of focus and prioritize actions
    - Potential task force initiatives: recruit businesses, host industry events, improve and develop education programs
- 4. Apply for and capture awards and accolades
  - Determine selection criteria for awards such as Forbes Magazine's "America's 10 Fastest Growing Cities" and develop plan for to compete
- 5. Appoint Advisory Council to serve as a central resource for spurring growth and foster industry credibility

#### **Make the City of South Fulton Part of the Dialogue**

- **Proposed Actions**
  1. Recruit citizens and stakeholders to serve as brand ambassadors
    - Educate them on the CoSF's position and vision
    - Target businesses across multiple industries and develop testimonials to publish on the City's website, social media outlets and campaign collateral
    - Identify joint activities that can be promoted via media/social media
  2. Educate regional leaders and industry partners on the City's positioning and messaging
    - Develop list of key contacts for regular newsletters
    - Attend major industry conference and set up meetings with targeted executives
  3. Facilitate collaboration among partners to pool external expertise and resources
    - Host workshops, roundtables and mixers with developers, businesses, and neighboring cities, chambers of commerce
    - Host mixers i.e., Small Business Enterprise, Mayor's Monday Mixer networking event
      - Potential task force initiatives: recruit businesses, host industry events, improve and develop education programs
  4. Apply for and capture awards and accolades
    - Determine selection criteria for awards such as Forbes Magazine's "America's 10 Fastest Growing Cities" and develop plan for to compete
  5. Appoint Advisory Council to serve as a central resource for spurring growth and foster industry credibility

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## TARGET MARKET

### DEMOGRAPHICS

Residents, Businesses and Stakeholders of the City of South Fulton to include:

- Schools – Parent-Teacher Organizations
- Places of Worship
- Civic Organizations
- Sororities/Fraternities

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## STRENGTHS

- There is an opportunity to **tell the positive development within the City** in our own voice;
- Communications must be positioned properly in the organization and must focus on the work of the goals of the City, as a whole.
- There must be a **balance of priorities** to focus on city-wide initiatives.
- **City staff are ambassadors** for the City of South Fulton and the community. There is an opportunity to empower them.
- The City of South Fulton is a **service-driven organization** committed to providing excellent service to citizens in a cost-effective, efficient, and friendly way.
- The City of South Fulton **values citizens and their input**.
- The City of South Fulton has a **strong economy, is a city of opportunity, and a city of innovation**.
- The City of South Fulton is a unique blend of **urban amenities and unspoiled landscapes**, offering a healthy balance between employment opportunities and a relaxed lifestyle.
- The City of South Fulton is creating a **healthy and sustainable community**.

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## NAMING OF THE CITY: CALL TO ACTION

- **Recommendation:** *Secure a community-branding firm that can meet the needs of the City of South Fulton utilizing positive and productive measures to help promote the City's strengths.*
- Upon successfully selecting a name, the City can move forward with marketing/branding initiatives.

### WHAT IS THE DESIRED OUTCOME?

- Seal/Iconography
- Color Palette
- Tagline
- Logo/Branding Collateral
- Official social media outlets
- Letterhead
- Other community-facing collateral and informational documentation

## PROJECT PLAN

### DESIRED OUTCOME

Resource	
• Name	
• Vision	
• Mission	
• Seal	
• Motto	
• Branding	

### BUDGET

- \$15,000 to secure a community-branding consultant firm
- Funds are needed to secure software/equipment relevant and necessary to operating a communications department,
  - Upon, the hiring of an IT Director, this concern can be addressed

# City with a Voice

## STRATEGIC COMMUNICATION PLAN



City of South Fulton, GA  
September 12, 2017  
City Council Meeting

# Communicating in the City of South Fulton

- City of South Fulton:  
Community of Communities
- Fifth largest city in Georgia
- Diverse Community: Growing youth & student population
- Skilled & diverse workforce



## Where We're **Going...**

- There is an opportunity to **tell the positive development within the City** in our own voice.
- The City of South Fulton is a **service-driven organization** committed to providing excellent service to citizens in a cost-effective, efficient, and friendly way.

## Where We're Going...

- The City of South Fulton **values citizens and their input.**
- The City of South Fulton has a **strong economy, is a city of opportunity, and a city of innovation.**

## Where We're Going...

- The City of South Fulton is a **unique blend of urban amenities and unspoiled landscapes**, offering a healthy balance between employment opportunities and a relaxed lifestyle.
- The City of South Fulton is creating a **healthy and sustainable community**.



Where We're **Going...**

## Communications Department Driven Initiatives

*Be relevant to our community*

***Goal:*** *To provide communications tools and channels that meet the needs of citizens, as well as a two-way mechanism for citizen input.*

## Where We're Going...

### Communications Department Driven Initiatives

*Be relevant to our community*

#### **Projects to support this focus area:**

- City's Website
- Social media accounts
  - Facebook, Twitter, Instagram, Periscope
- Info@cityofsouthfultonga.gov
- City Newsletter
- Nextdoor App

#### **Projects to support this focus area in the next two years:**

- City of South Fulton App
- City Access Television Station

# Where We're Going...

## Proactive Communications

***Goal: Plan and build a reputation as an active and engaged partner in the city's development.***

## Name & Brand Identity

Naming & Brand Visual architecture for our new city will be presented upon selection of the branding vendor.

# Questions



# **DIVIDER SHEET**



CITY OF SOUTH FULTON  
COUNCIL AGENDA ITEM



SUBJECT: BidNet Direct

DATE OF MEETING: September 12, 2017

DEPARTMENT: Finance

Work Session ( )  
Regular Meeting ( X )  
Recommendation ( )  
Policy/Discussion ( )  
Presentation ( )  
Other ( )

**BACKGROUND:** (HISTORY, FACTS AND ISSUES)

Purchasing Department's software needs for turn-key procurement process solutions to post solicitations, provide vendors access to review, download, and respond to formal solicitation requests. This turn-key process will include evaluations of vendors' submittals, award notifications, and ultimately contract management.

**RECOMMENDED ACTION:**

DEPARTMENT HEAD: Frank S. Milazi

DATE: 9/8/17

BUDGET: \$5,000.00

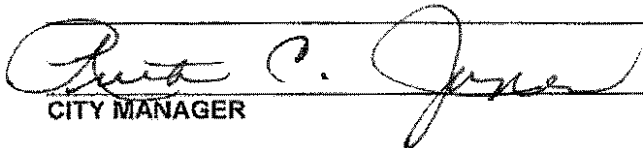
**FUNDING SOURCE:**

Account: 100-1511-52-1300

FINANCE APPROVAL: 

DATE: 9/8/2017

ADMINISTRATIVE COMMENTS AND RECOMMENDATION: \_\_\_\_\_

  
CITY MANAGER

9-8-2017  
DATE

Action Taken By Council: \_\_\_\_\_



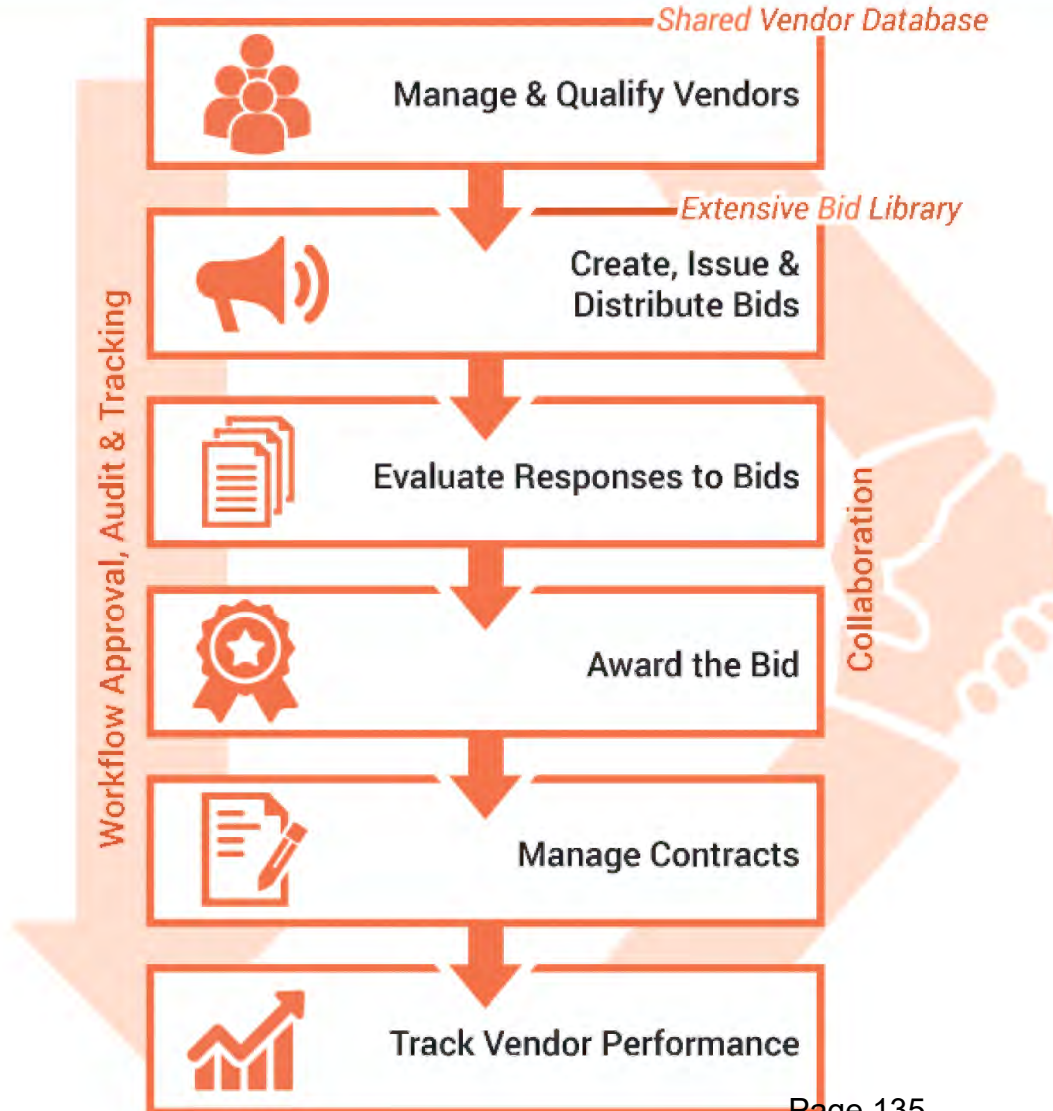
# Procurement Software Platform e-Sourcing Solution

# Overview

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- Established in 1984
  - e-Sourcing solutions since 1999
    - 21 state identified Purchasing Groups
    - 1,200+ government agencies
    - 20,000 solicitations
    - 70,000 suppliers
  - No cost to post bids, no cost to vendors to register, download, and respond.
-

# e-Sourcing Features & Benefits



- **Manage & Qualify Vendors**
  - Online vendor registration
- **Create, Issue & Distribute Bids**
  - Formal and informal, Automated, Any file type
  - Workflow
  - Track vendor access
- **Evaluate Responses to Bids**
  - Bid tabulation
  - Bid evaluation

# e-Sourcing Features & Benefits



- Award the Bid
  - Multiple suppliers, Publish award, Notification templates
- Manage Contracts
  - Contract lifecycle management , several levels, very configurable
- Vendor Performance Management
  - Performance scorecards

# Platform Benefits

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- Complete e-Sourcing solution
- SaaS platform
- Audit & Control
- Modular to grow with you
- Business model

# Purchasing Group Benefits

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- Georgia Purchasing Group
    - City of South Fulton
    - City of Johns Creek
    - City of Tucker
  - Shared vendor pool
    - Nationally
  - Shared solicitation library
    - Nationally
-

# City's Benefits

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- Save time & resources – business, purchasing and IT initiatives.
  - Access to a robust vendor database to increase competition.
  - Collaborate, share & learn from the extensive bid library.
  - Improve transparency through audit, control & workflows.
  - Configurable according to our purchasing processes.
  - All module add-ons are quick & easy to add to our existing BidNet account.
-

# City's Huge Value for Small Investment

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- Bid Distribution & Vendor Management
  - No Cost for:
    - Start-up
    - Annual License
    - Unlimited Users
    - Unlimited Document Storage & Records Retention
    - Standard Implementation & Training
-

# City's Huge Value for Small Investment

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- Bid Evaluation:
- \$2,500 for Implementation & Training
  - Electronic bid evaluation process of bids and proposals
  - Provide evaluators a quick, secure and fair way to evaluate responses.
  - Evaluators independently score vendor responses to create a secure process for ranking vendor proposals.
  - (\$0 Unlimited Evaluators)

# City's Huge Value for Small Investment

---

- **Contract Life Cycle Management:**
  - **\$2,500 for Implementation & Training**
    - **Electronic contract management**
    - **Store and archive all contract documents**
    - **Notifications**
    - **Version control**
-

# Participating Agencies

- + CALIFORNIA PURCHASING GROUP
- + EMPIRE STATE PURCHASING GROUP
- + FLORIDA PURCHASING GROUP
- + GEORGIA PURCHASING GROUP
- + ILLINOIS PURCHASING GROUP
- + LOUISIANA PURCHASING GROUP
- + MARYLAND PURCHASING GROUP
- + MASSACHUSETTS PURCHASING GROUP
- + MISSISSIPPI PURCHASING GROUP
- + MISSOURI PURCHASING GROUP
- + MITN PURCHASING GROUP

# Participating Agencies

- + NEW JERSEY PURCHASING GROUP
- + NEW MEXICO PURCHASING GROUP
- + NORTH CAROLINA PURCHASING GROUP
- + OHIO PURCHASING GROUP
- + OKLAHOMA PURCHASING GROUP
- + PENNSYLVANIA PURCHASING GROUP
- + ROCKY MOUNTAIN E-PURCHASING SYSTEM
- + SOUTH CAROLINA PURCHASING GROUP
- + TEXAS PURCHASING GROUP
- + VIRGINIA PURCHASING GROUP

# City of South Fulton

## City of South Fulton

Get notified of bid opportunities from City of South Fulton



**GEORGIA**  
purchasing group



## City of South Fulton Bid Opportunities

City of South Fulton's Open and Closed Solicitations are posted below. Please [register](#) or [login](#) to see details of all open opportunities.

In the spirit of continuous improvement and cost management, the City of South Fulton utilizes this bid system to post Request for Proposal (RFP) and bid opportunities. We strive to receive the best value for the goods and services purchased for the city's needs. The City of South Fulton welcomes all vendors to register to the Georgia Purchasing Group. To register at no charge, simply follow the registration path and select the "Limited Access" option which WILL provide you with matching bid notifications and alerts from the City of South Fulton. To receive bid notifications from other Groups or Statewide, select one of the other registration options.

### Register to Bid

Register to do business with City of South Fulton. Join the Georgia Purchasing Group to expand your business with local governments.

Receive bid notifications from 3 participating agencies that use the system to distribute bids online and an additional 294 statewide agencies throughout Georgia. Register with the Georgia Purchasing Group to gain access to bids today.

# Implementation



- **City of South Fulton**
  - **Go live – 8/15/17**
  - **Posted 1<sup>st</sup> solicitation – 8/25/17**
  - **Received questions by – 9/1/17**
  - **Posted Addendum #1 – 9/5/17**
  - **Proposal due electronically – 9/15/17**

**BidNet Direct provides complete training and support,  
including vendor support services at no cost**

**M-F 8 am – 8 pm.**

# Thank you.



 Need Help: 800-835-4603

[Vendor Registration](#)

[Login](#)

[Home](#) [Open Bids](#) [Closed Bids](#) [Vendor Services](#) [Buyer Services](#) [Purchasing Groups](#) [Company](#)

## City of South Fulton

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**GEORGIA**  
purchasing group



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